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LEGISLATIVE REVIEW 1974



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Legislative Review

43rd Legislature
Second Regular Session
January 7, 1974 to March 16, 1974

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LEGISLATIVE REVIEW
SECOND REGULAR SESSION

1974

Chapter No.	Bill No.	Chief Sponsor	Effective Date	Date Signed By Governor
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Summary of Provisions

1	HB 297	Bardanoue	7/1/74	1/23/74
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Allows the investment of police retirement fund money in building and loan, or savings and loan associations in addition to banks; restricts the investments to institutions operating within the county where the city or town is located.

Amends: 11-1829

2	HB 299	Bardanoue	7/1/74	1/23/74
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Allows the investment of surplus funds of fire department relief associations in any solvent bank, building and loan association, or savings and loan association operating in the county where the association is located.

Amends: 11-1914

3	HB 479	Hager	7/1/74	1/28/74
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Authorizes, but does not require, the county clerk and recorder to number voter registration cards by using the voter's social security number commencing after the close of registration for the 1974 general election.

Amends: 23-3005

4	HB 674	Gerke	1/28/74	1/28/74
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Requires the Attorney General to prosecute, on behalf of the state, all public offenses disclosed by an audit of a state agency by the Legislative Auditor; permits the county attorney of the appropriate county to prosecute on behalf of the state when the Attorney General either declines to prosecute or

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Summary of Provisions

fails to commence action in a reasonable time.

Enacts: 82-401.1

5	HB 489	Greely	7/1/74	2/5/74
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Revises income allocation formula for firms subject to corporation license tax on income derived from Montana sources when such firms have income attributable to other states; requires apportionment formula for a corporation engaged in a unitary business, as defined; permits use of separate accounting by a corporation not engaged in a unitary business; provides for interpretation of receipts, property and payroll information in determining the state to which income is allocable.

Amends: 84-1501, 84-1503

6	HB 631	Rules Comm.	7/1/74	2/5/74
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Permits the state Budget Director to request additional time to complete a fiscal note.

Amends: 43-1002

7	HB 641	Fasbender	2/5/74	2/5/74
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Requires every statute to have an enacting clause; prescribes the form.

Enacts: 43-516

8	HB 22	Ainsworth (by request)	7/1/74	2/7/74
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Provides for the classification and reclassification of state lands into 4 categories; requires a resources capability inventory before a classification may be changed; prohibits the Department of State Lands from adopting fictitious classifications; directs the department to indicate classification, dedication, and subsurface rights information on its field books, plats, maps and records.

Amends: 81-302

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9	SB 510	Bollinger	2/7/74	2/7/74
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Repeals Chapter 1 of the Laws of 1973 relating to duties and salaries of legislative attaches'.

Repeals: Chapter 1, Laws of 1973

10	HB 845	Quilici	7/1/74	2/8/74
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Removes the requirement that a taxidermist record the license number of the hunter submitting game for mounting.

Amends: 26-907

11	SB 478	Rules Comm.	7/1/74	2/12/74
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Permits the requests for fiscal notes to be regulated by the joint rules of the legislature; permits a sponsor to request a fiscal note through the presiding officer.

Amends: 43-1005

12	SB 483	Gilfeather	7/1/74	2/12/74
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Eliminates the requirement that an officer may not acknowledge an instrument unless a credible witness affirms, under oath, the identity of the person making the acknowledgment.

Amends: 39-107

Repeals: 39-118, 39-119

13	SB 527	Gilfeather	7/1/74	2/12/74
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Provides a procedure whereby a handwriting expert residing and having his place of business outside the county or state may examine the signatures on the original copy of a will; requires petitioner to pay fees; provides that the report is the property of the petitioner unless otherwise ordered by court, or unless another interested party pays a pro rata portion of the fees.

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Enacts: 91A-3-406.1, 91A-3-406.2, 91A-3-406.3, 91A-3-406.4, 91A-3-406.5, 91A-3-406.6, 91A-3-406.7

14 HB 300 Bardanouve 7/1/74 2/14/74

Adds building and loan associations and savings and loan associations to the list of types of financial institutions in which public moneys may be deposited by the State Treasurer or state agencies.

Amends: 79-301, 79-302, 79-306

15 SB 465 Moore 7/1/74 2/15/74

Requires the fees and expenses of court-appointed counsel for indigent defendants to be paid by the arresting state agency in criminal proceedings where the arrest was made by agents of the Department of Fish and Game or of the Department of Justice.

Amends: 95-1005

16 HB 687 Cox 7/1/74 2/15/74

Changes the official date of Veteran's Day back to November 11.

Amends: 19-107

17 HB 715 Brand 7/1/74 2/15/74

Requires the Board of Livestock to hire as stock inspectors and detectives only those persons who successfully pass a qualifying examination devised by the Board of Livestock and administered pursuant to its rules.

Amends: 46-701

18 HB 743 Flynn 2/15/74 2/15/74

Provides that a junk vehicle being towed or driven to an auto wrecking graveyard for disposal is exempt from auto license or special single movement permit requirements.

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Amends: 53-119, 53-119.1

19	HB 754	Aageson	7/1/74	2/15/74
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Permits the holder of a traffic education permit to operate a motorcycle when under the immediate and proximate supervision of an approved instructor.

Amends: 31-129

20	HB 778	Kimble (by request)	7/1/74	2/15/74
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Requires all big game hunters to wear at least 400 square inches of hunter orange material clearly visible and above the waist except during the special archery season; permits the Fish and Game Commission to make appropriate regulations; provides minimum and maximum penalties for violation.

Amends: 26-302, 26-303

21	HB 872	Driscoll	7/1/74	2/15/74
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Directs the Department of Highways to conduct sales of interests in real property in the county in which the property is situated unless the department finds it impractical to conduct a sale other than in Helena.

Amends: 32-3911

22	SB 519	Moore	7/1/74	2/16/74
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Requires the trustees of school districts to employ legal counsel other than the county attorney in the event of a conflict of interest involving the county attorney's performance of his public duties.

Amends: 75-8305
Enacts: 75-8305.1

23	SB 621	Moore	7/1/74	2/16/74
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Requires the University of Montana Law School to

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Summary of Provisions

present an orientation course of study as soon as possible after each general election which must be attended by all justices of the peace except those who are authorized to practice law in Montana or have held the office within the preceding 5 years.

Amends: 93-401

24	HB 762	Manuel	7/1/74	2/16/74
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Eliminates the expiration date of Chapter 397, Laws of 1971 (Sections 3-1729 through 3-1734) pertaining to a tax on fertilizer for the support of the Cooperative Extension Service and the Agricultural Experiment Station.

Amends: Section 7, Chapter 397, Laws of 1971
(Chapter 17, Title 3, R.C.M. 1947)

25	HB 645	Bell	7/1/74	2/19/74
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Prohibits the shooting of a firearm from or across a county road.

Amends: 32-21-113

26	HB 779	Kimble (by request)	7/1/74	2/19/74
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Permits the removal of any nonelected city officer by a vote of two-thirds of the council after notice to the party and trial by the council.

Amends: 11-721

27	HB 951	Roberts	7/1/74	2/19/74
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Removes the mountain lion, wolverine and cougar from the predatory and wild animal classifications.

Amends: 26-201, 46-1902, 46-1903

28	HB 177	Laas	7/1/74	2/22/74
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Abolishes the Board of Highway Appeals; transfers

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Summary of Provisions

functions relating to employee grievances to the Board of Personnel Appeals; transfers functions relating to proportional registration agreements to the Highway Commission.

Enacts: 32-2505, 82A-709
Repeals: 82A-704, 82A-705

29	HB 752	Tierney	7/1/74	2/22/74
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Authorizes elementary school district trustees to petition the county superintendent of schools for district boundary changes; requires the county superintendent of schools to review elementary school district boundaries at least once every 3 years.

Enacts: 75-6516.1, 75-6516.2

30	HB 763	Fasbender	2/22/74	2/22/74
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Authorizes the Legal Services Division of the Legislative Council to assign catch lines and section numbers to bills without such information.

Amends: 43-711

31	HB 663	Ulmer	7/1/74	2/25/74
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Permits the retail sale of wine purchased from the State Liquor Division for on-premise consumption in a restaurant or prepared food business whose operator is a beer licensee who has received the amendment to his license established by this act; provides an annual \$200 fee for the amendment.

Amends: 4-333

32	HB 804	Brand	7/1/74	2/25/74
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Requires inspection of livestock which die in a feedlot; provides a penalty.

Enacts: 46-3001, 46-3002, 46-3003

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33	HB 812	Baeth	7/1/74	2/25/74
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Changes the definition of "husband" or "widower" as used in the Workmen's Compensation Act by removing the requirement that he be incapable of supporting himself.

Amends: 92-425

34	SB 490	Northey	7/1/74	2/25/74
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Permits non-residents temporarily residing in Montana to obtain a Montana falconry license and bring legally acquired raptors into the state; allows non-residents to hunt with falcons in Montana subject to Montana law.

Amends: 26-501.1

35	SB 491	James	7/1/74	2/25/74
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Requires that police officers hired after passage of this act be at least 50 years of age and complete 20 years of service before being transferred to the reserve list on account of age.

(The effective date of this act is unclear due to the ambiguous language of the amendment.)

Amends: 11-1821

36	SB 492	James	7/1/74	2/25/74
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Revises the retirement and disability benefits available to firemen by removing the requirement that a fireman must be at least 50 years of age before being able to raise those benefits from 50% of his final salary to up to 60%; extends same benefits to widows and orphans of deceased firemen; excludes overtime and payments in lieu of annual leave or sick leave from the computation of final salary.

Amends: 11-1925, 11-1926, 11-1927

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37	SB 548	Story	7/1/74	2/25/74
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Requires written certification that salmonid fish or eggs shipped into Montana are free of such infectious organisms as the Fish and Game Commission may designate; deletes references to specific infectious organisms and required information on the certification; permits the refusal of entry into the state or quarantines of shipments in violation of the act at the option of the Fish and Game Department; provides for enforcement at ports of entry and checking stations administered by the Department of Highways.

Amends: 26-1701, 26-1702, 26-1705
Repeals: 26-1703

38	SB 552	McGowan	2/25/74	2/25/74
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Provides per diem compensation for members of county tax appeal boards; divides expenses of operating county tax appeal boards between counties and Department of Revenue; permits county tax appeal board to preserve testimony by electronic means without transcription if no appeal is taken; authorizes state tax appeal board to meet with county tax appeal boards to consider prescription of regulations; clarifies the time within which notice of appeal from the decision of a county tax appeal board must be filed.

Amends: 84-601, 84-604, 84-708, 84-709

39	SB 582	Bollinger	7/1/74	2/25/74
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Permits herd districts to cross county lines; provides that laws pertaining to single county herd districts apply to joint county herd districts; requires approval of respective boards of county commissioners.

Amends: 46-1501

40	SB 607	James	7/1/74	2/25/74
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Requires county commissioners to designate the class to which their county belongs annually rather than

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every fourth year.

Amends: 16-2420

41	SB 484	Moore	7/1/74	2/26/74
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Requires the Montana Salary Commission to meet and submit its recommendations to the legislature on or before November 15 of the year prior to the first regular session of each biennium.

Amends: 59-1401, 59-1402, 59-1404

42	SB 488	Bertsche	2/26/74	2/26/74
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Re-establishes the position of Budget Director within the office of the Governor.

Amends: 79-1012, 82A-202

43	HB 298	Bardanouve	7/1/74	2/26/74
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Permits the deposit of public funds into savings and loan associations and building and loan associations as well as banks; requires such institutions to pay no less than the rate of interest for public money than is paid on money from private sources on the same terms; requires demand deposits to be placed only in banks; provides that where more than one bank is qualified and willing to receive demand deposits under this act that the funds shall be distributed ratably among the banks in proportion to the paid-in capital and surplus of each bank; requires moneys not needed for immediate use, or invested in direct obligations of the U.S. government to be deposited in time or savings deposits of qualified and willing banks, building and loan, and savings and loan associations; provides that where more than one institution is eligible to receive such deposits, the deposits are to be distributed ratably in proportion to the amount of property taxes paid including taxes on shares of bank stock paid by each institution.

Amends: 16-2618

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44	HB 770	Gerke	7/1/74	2/26/74
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Deletes the requirement that an interim study report be submitted to and approved by the full standing committee prior to its submission to the legislature.

Amends: 43-716

45	HB 771	Gerke	7/1/74	2/26/74
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Repeals Section 4-171 relating to the sale of material branded as liquor.

Repeals: 4-171

46	HB 787	Bradley	2/26/74	2/26/74
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Prohibits employers from requiring lie detector tests as a condition for employment or for the continuation of employment; exempts law enforcement agencies.

Enacts: 41-119, 41-120

47	HB 842	McKittrick	7/1/74	2/26/74
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Designates the Board of Personnel Appeals as a quasi-judicial board for purposes of Section 82A-112.

Amends: 82A-1014

48	HB 855	Clemow	7/1/74	2/26/74
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Deletes the general reference to animals from a code section which prohibits the award of a prize for taking a protected fish, bird or animal.

Amends: 26-809

49	SB 551	McGowan	2/27/74	2/27/74
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Provides that the basis for imposition of taxes on class 6 property is to be as specified in Section 84-308 rather than at 40% of full and true value.

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Amends: 84-302

50	SB 589	Goodheart	2/27/74	2/27/74
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Includes microwave facilities in the group of utilities which must file assessment reports with the Department of Revenue.

Amends: 84-901

51	HB 77	Lund	2/27/74	2/27/74
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Changes the Department of Education to the state Board of Education; re-establishes the governance authority for the state Historical Society, the Montana Arts Council and the State Library Commission and provides for their relationship to the state Board of Education.

Amends: 82A-104, 82A-110, 82A-501, 82A-502, 82A-507, 82A-508, 82A-509, 82-3603, 82-3605

Enacts: 82A-501.1

Repeals: 82A-503, 82A-504, 82A-505, 82A-506, 82A-510

52	HB 232	Bardanouve	7/1/74	2/27/74
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Changes the administering agency for the licensing and registration of motorboats and vessels from the Department of Revenue to the Registrar of Motor Vehicles; provides that motorboats and vessels may be registered at the county treasurer's office.

Amends: 69-3504, 69-3504.1

53	HB 744	Flynn	7/1/74	2/27/74
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Permits the disposal without notice and waiting period of junk vehicles having an appraised value of \$100 or less upon release by the sheriff.

Amends: 53-903

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54	HB 769	Gerke	2/27/74	2/27/74
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Specifically denies a deduction for income taxes paid to another state or a foreign country by a corporation doing business in Montana.

Amends: 84-1502

55	HB 800	Gunderson	2/27/74	2/27/74
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Provides that unencumbered funds remaining in the public school equalization earmarked revenue account shall be transferred to the state permissive school levies earmarked revenue account to reduce the state-wide permissive levy deficiency levy.

Amends: 75-6917

Enacts: 75-6917.1

56	SB 507	Mathers	2/28/74	2/28/74
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Provides a general revision of the "Green Belt Act" as follows: repeals the provision that a landowner must apply for agricultural land classification; provides for automatic valuation as agricultural lands of any land which meets any of several criteria of agricultural use; provides for reclassification of land valued as agricultural land by the Department of Revenue or by the landowner; and refunds certain late filing fees.

Amends: 84-401, 84-437.2, 84-437.3

Enacts: 84-437.15, 84-437.16, 84-437.17

Repeals: 84-437.7

57	SB 575	Romney	7/1/74	2/28/74
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Changes the name of the Board of Masseurs to the Board of Massage Therapists.

Amends: 82A-1602

58	SB 576	Romney	7/1/74	2/28/74
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Changes the name of the Board of Osteopaths to the Board of Osteopathic Physicians.

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Amends: 82A-1602

59	SB 667	Rosell	7/1/74	2/28/74
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Permits the state Board of Psychologist Examiners to increase the application fee and set an examination fee commensurate with costs; makes fees received by the board subject to a pro rata assessment by the Department of Professional and Occupational Licensing to pay operating costs of the board.

Amends: 66-3211

60	HB 846	Laas	3/2/74	3/2/74
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Requires the Attorney General to declare a speed limit as required by federal law on all public highways in the state except in those areas where a speed limit lower than that required by federal law is presently applicable; directs the Attorney General to terminate the speed limit by proclamation whenever a speed limit is not required by federal law; makes the Administrative Procedure Act inapplicable to this act; creates the offense of unnecessary waste of a resource currently in short supply; provides a penalty for violation and prohibits the fact of violation from being entered on driving records or from being used to increase insurance premiums; provides that existing traffic control statutes or the prosecution of violations made under those statutes are in no way affected by this act.

Enacts: 32-2144.1, 32-2144.2, 32-2114.3, 32-2144.4, 32-2144.5, 32-2144.6, 32-2144.7

61	SB 474	Thiessen	7/1/74	3/2/74
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Lowers the minimum age of an eligible transportee on school buses from 6 to 5 years of age.

Amends: 75-7001

62	SB 569	Himsl	3/2/74	3/2/74
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Changes the mileage reimbursement rate for school

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trustees traveling to and from the trustees' meeting place to conform to the reimbursement formula for legislators, state officers and other persons entitled to mileage.

Amends: 75-5931

63 SB 584 Siderius 7/1/74 3/2/74

Clarifies instructions to the publishers of the Montana Revised Codes relating to the former Tramway Safety Board.

Amends: 69-6601, 69-6605, 69-6606, 69-6607, 69-6608, 69-6609, 69-6610, 69-6611, 69-6612, 69-6613, 69-6614, 82A-2005

64 SB 463 Lynch 7/1/74 3/4/74

Permits the Board of Regents of Higher Education to waive all tuition and fees of undergraduates in attendance at any public unit of higher education in Montana who are the spouses or children of Montana residents who are listed as prisoners of war or missing in action as a result of the conflict in Southeast Asia.

Amends: 77-909

65 SB 523 Hall 7/1/74 3/4/74

Changes approval authority for cities or towns to destroy old, worthless records from the State Examiner to the Department of Intergovernmental Relations; allows the destruction of certain public utility records without the department's permission after the expiration of the holding period required by the Public Service Commission.

Amends: 59-515

66 SB 535 Bertsche 7/1/74 3/4/74

Permits school districts within the same county to combine and cooperate for the purpose of preparing bond issues and negotiating them for sale; forbids

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the combining of bond issues for any other purposes.

Amends: 75-7121

67	SB 540	Bollinger	7/1/74	3/4/74
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Provides that a water supply serving 25 or more persons on a regular and continuous basis is a public water supply for water pollution control purposes.

Amends: 69-4902

68	SB 566	Thiessen	3/4/74	3/4/74
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Updates the Bond Validating Act.

69	SB 585	McCallum	7/1/74	3/4/74
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Legalizes the use of snare traps except as prohibited by regulation of the Fish and Game Commission.

Amends: 26-504

70	SB 590	James	7/1/74	3/4/74
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Permits county commissioners to expend funds received from federal or state government by resolution; describes general form of resolution; requires the expenditures to conform to any conditions imposed by the federal or state government.

Enacts: 16-1185

71	SB 605	James	7/1/74	3/4/74
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Provides that the Board of Pharmacists shall increase the fee for registration by reciprocity to \$100.

Amends: 66-1506

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72	SB 606	James	7/1/74	3/4/74
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Increases the salaries of members of the Board of Pharmacists; provides that actual and necessary expenses will be compensated; provides that mileage expense will be paid pursuant to Section 59-801.

Amends: 66-1505

73	SB 653	Lynch	7/1/74	3/4/74
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Re-establishes the power of counties to create, abolish, change and otherwise regulate garbage and ash collection districts in thickly settled unincorporated areas; provides a \$3 per month per family residential unit maximum fee; provides for means of financing the districts through special assessments on owners of real property benefited by the service to be collected with the general taxes.

Enacts: 16-1031.1, 16-1031.2

74	SB 704	Moritz	7/1/74	3/4/74
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Provides that bidders for state contracts who offer materials produced in Montana by Montana labor shall be considered residents for purposes of the public contractors' preference law.

Amends: 82-1925

75	HB 213	Turman	3/4/74	3/4/74
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Removes restrictions on amount of money which counties can spend for park maintenance.

Amends: 62-102

76	HB 625	Lee	7/1/74	3/4/74
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Exempts certain motion picture theater employees from prosecution under obscenity statutes or ordinances.

Enacts: 94-8-110.3

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77	HB 654	Lynch	7/1/74	3/4/74
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Extends antidiscrimination statutes in Chapter 3 of Title 64 to prohibit discrimination against the physically handicapped; defines physical handicap; prohibits discrimination in employment except when the refusal to hire is reasonably based on the handicapped person's inability to perform the employment or on grounds of safety of the handicapped person or his fellow employees; makes such discrimination a misdemeanor and a civil cause of action; provides damages and/or attorney fees to the prevailing side.

Amends: 64-301, 64-302
Enacts: 64-304

78	HB 662	Greely	3/4/74	3/4/74
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Revises the sanctions against operating a school bus in violation of the transportation law or policies of the Board of Public Education; provides that any district that knowingly is in violation shall forfeit any reimbursement otherwise payable during the period of violation; provides that any operator of a school bus in violation will not be paid for miles traveled in violation and will lose his contract if the violations are not stopped within 10 days of notice; requires trustees to suspend the contract if the violation jeopardizes the safety of pupils; deletes sanctions that make trustees or employees guilty of misconduct and subject to removal from office or employment.

Amends: 75-7006

79	HB 678	Cox	7/1/74	3/4/74
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Excludes firecrackers and bottle rockets from the list of fireworks permitted to be sold to the public.

Amends: 69-2701

80	HB 725	Bardanoue	3/4/74	3/4/74
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Amends the gasoline license tax refund statute by deleting the requirement that only one application for refund can be made per year; changes the dealer's

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license from one issued annually to one issued for 3 years.

Amends: 84-1855

81	HB 772	Gerke	7/1/74	3/4/74
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Repeals Section 4-133, R.C.M. 1947, which pertained to club beer licenses.

Repeals: 4-133

82	HB 773	Gerke	7/1/74	3/4/74
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Repeals Section 4-357, R.C.M. 1947, which pertained to annual reports by the Liquor Division under the Montana Beer Act.

Repeals: 4-357

83	HB 780	Quilici	3/4/74	3/4/74
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Provides that the coverage of newborn infants in a disability insurance policy shall be the same as that extended to other persons under the policy, except that newborn infant coverage may not be subject to waiting or elimination periods.

Amends: 40-4002, 40-4002.1, 40-4101, 40-4102

84	HB 817	Lee (by request)	7/1/74	3/4/74
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Changes the name of the Board of Electricians to the State Electrical Board.

Amends: 82A-1602

85	HB 858	Menahan	7/1/74	3/4/74
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Requires that as a condition to licensing, cosmetological establishment must first undergo inspection; requires the establishment to pay a \$25 initial inspection fee plus the necessary and actual expenses of the inspector before the license can be issued.

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Amends: 66-801
Enacts: 66-813.1

86 HB 870 Stephens 7/1/74 3/4/74

Authorizes district court, on petition by the Department of Agriculture, to enjoin a person from merchandising grain without a license or bond; provides for the issuance of the injunction without proof that any person has been injured by such merchandising; provides that equitable relief is an additional remedy to criminal prosecution.

Enacts: 3-228.8

87 HB 915 Kimble 7/1/74 3/4/74

Allows underage employees to bag, carry or transport beer for customers at grocery stores.

Amends: 94-5-610

88 HB 925 Bennetts 7/1/74 3/4/74

Makes changes in the compensation plans of the Workmen's Compensation Act to bring it into conformance with the Executive Reorganization Act; makes minor style changes; deletes the \$5 proof of solvency fee under plan 1 and the \$3 fee for filing or renewing an insurance policy under plan 2; deletes the \$5 physician fee paid under plan 3; deletes the requirement under plans 1, 2 and 3 that funds deposited with the division be subject to accounting at any time.

Amends: 92-1334

89 HB 946 Bardanouve 7/1/74 3/4/74

Provides that land temporarily zoned for industrial or commercial use may not be considered a commercial or industrial zone under the outdoor advertising control law; provides that a two-faced sign shall be considered as 2 signs when each face is supported by a separate structure; authorizes Department of Highways to enter upon land bearing outdoor advertising structures to determine the compliance of such

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structures with law and to remove unlawful structures.

Amends: 32-4716, 32-4719, 32-4722

90	HB 988	Menahan	7/1/74	3/4/74
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Transfers Alcoholism Services Center from Warm Springs State Hospital to Galen State Hospital; deletes requirement for admission procedures which equated alcoholism with mental illness; expands alcoholism treatment program to include referral and educational programs.

Amends: 80-1701, 80-2404*, 80-2401

91	HB 989	Menahan	7/1/74	3/4/74
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Regulates the sale of new snowmobiles by limiting the noise such machines may make, and reducing the upper noise limit in 3 phases over 4 years; authorizes the Fish and Game Commission to further regulate noise levels downward on snowmobiles manufactured after June 30, 1978; revises sound measurement and testing standards; forbids any modification of a snowmobile which increases the sound output; requires owners of all snowmobiles to maintain them so that the sound level does not exceed that permitted in this act; exempts machines to be used only in competition; exempts organized races or similar competitive events when held with permission of the person or agency controlling the site of the event; establishes civil penalties for violation; directs the Attorney General to bring actions for civil penalties and equitable remedies at the request of the Fish and Game Commission.

Amends: 53-1012, 53-1020, 53-1022, 53-1023

92	HB 1008	Bardanouve	7/1/74	3/4/74
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Permits the Board of Investments to invest funds in building and loan and savings and loan associations.

Amends: 79-310

* Also rennumbers

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93	HB 386	Marbut	7/1/74	3/4/74
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Adds programs for educationally handicapped children and youth to special education programs; defines "educationally handicapped" person; requires, after July 1, 1979, that every school district provide special education programs for every handicapped person between the ages of 6 and 21 who cannot benefit sufficiently from the regular programs; allows district compliance through establishment of its own program, participation in cooperative programs, or participation in regional programs; provides that eligibility for enrollment is to be determined under regulations of the Superintendent of Public Instruction pursuant to policies of the Board of Public Education.

Amends: 75-7801, 75-7805, 75-7806, 75-7807

94	SB 453	Deschamps (by request)	7/1/74	3/11/74
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Implements the Executive Reorganization Act by updating the laws relating to the Department of Military Affairs.

Amends: 32-1702, 32-1703, 77-801*, 77-901*, 77-909*, 77-910*, 77-911*, 77-1302*, 77-1303*, 77-1304*, 77-1306*, 77-1307 through 77-1313*, 77-1502*, 77-1503*, 77-1505*, 77-1506*, 77-1507*, 77-1508*, 82A-1401
Enacts: 77-1601 through 77-1606, 77-1701 through 77-1708, 77-1801 through 77-1804, 77-1901 through 77-1908, 77-2001 through 77-2007, 77-2101 through 77-2108, 77-2201 through 77-2204, 82A-1405, 82A-1406
Repeals: 32-1701, 77-101 through 77-163, 77-201 through 77-214, 77-301, 77-401 through 77-420, 77-1101, 77-1201 through 77-1215, 77-1301, 77-1305, 77-1501, 77-1504, 82-207 through 82-211, 82A-1402 through 82A-1404

95	SB 489	Hazelbaker	7/1/74	3/11/74
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Removes the discretion of Workmen's Compensation Division to review a corporate officer's decision not to be bound by a workmen's compensation plan; prohibits the election or appointment of an

* Also renumbers

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employee as an officer solely to exclude him from coverage under the act; and provides a penalty for false statements.

Amends: 92-208

96 SB 495 Hazelbaker 7/1/74 3/11/74

Provides that when insurance policy on specific listed items of personal property states valuation of such items, a premium varies with valuation of the items insured, the insurer must either compute the amount of loss or total damage as equal to the stated valuation or state a different method of loss computation in prominent type in the policy; exempts motor vehicle insurance policies.

Enacts: 40-4303

97 SB 499 James 7/1/74 3/11/74

Authorizes practice of midwifery; provides that provision of midwife services by registered nurse-midwives under supervision of licensed physician is not unauthorized practice of medicine; provides for licensing of registered nurses as nurse-midwives who are certified by the American College of Nurse-Midwives and meet such other qualifications as may be required by the board - professional nursing administration; provides for temporary licensing of registered nurses awaiting the results of the certification examination given by the American College of Nurse-Midwives.

Amends: 66-1012

Enacts: 66-1246

98 SB 501 Bertsche 7/1/74 3/11/74

Revises the statutes governing the operation and financial management of cemeteries; deletes the maximum acreage requirement; requires compliance with zoning regulations; requires an association to prove a need for any new cemetery and to prove financial capability to operate one in a satisfactory manner; deletes the maximum amount requirement in the "permanent care and improvement fund"; requires

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that funds be invested in ways in which public employees retirement funds are invested; deletes the ceiling on payments to trustees; requires the establishment of a merchandise trust fund for monies received for merchandise sold for future delivery.

Amends: 9-111, 9-128, 9-131, 9-132, 9-227, 9-921
Enacts: 9-111.1

99	SB 521	Story	7/1/74	3/11/74
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Changes the name of the Board of Nurses to the Board of Nursing.

Amends: 82A-1602

100	SB 522	Hall	7/1/74	3/11/74
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Permits the registrar to destroy used ballots by burning them in an approved incinerator, destroying them in a mechanical shredder, or burying them in a sanitary landfill under his on-site supervision.

Amends: 23-4007

101	SB 534	Mathers	3/11/74	3/11/74
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Automatically extends the statute of limitations for assessing or collecting deficiencies in Montana corporation tax when the taxpayer has suspended the federal statute of limitations for collection of federal tax by written agreement; provides for termination of suspension period.

Amends: 84-1508.2

102	SB 546	Hazelbaker	7/1/74	3/11/74
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Provides for the allocation of state construction funds to match federal-aid highway funds available for the replacement of bridges; provides for the distribution of those funds by deductions from future apportionments to financial districts or cities.

Enacts: 32-2614

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103	SB 549	Story	7/1/74	3/11/74
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Provides that water released from storage in a reservoir is not a part of the natural flow of the stream, and may be passed through the channel of the stream to a downstream point of diversion pursuant to a valid water right.

Enacts: 89-891.1

104	SB 560	Harrison	7/1/74	3/11/74
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Removes the ceiling on the amount for which any individual may be insured under a group life insurance policy.

Repeals: 40-3908

105	SB 563	Broeder	7/1/74	3/11/74
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Provides for the designation for economic growth centers by Department of Highways; directs the department to allocate and apportion state highway construction funds to match federal-aid highway funds available for economic growth center development highways.

Enacts: 32-2620, 32-2621, 32-2622, 32-2623

106	SB 581	Bennett	7/1/74	3/11/74
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Provides for the designation, by Department of Highways, of priority primary routes, defined as high-traffic sections of federal-aid primary system which connect with interstate system; directs department to allocate and apportion state highway construction funds to match federal-aid highway funds available for improving priority primary routes.

Enacts: 32-2615 through 32-2619

107	SB 591	Flynn	7/1/74	3/11/74
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Changes composition of Board of Health and Environmental Sciences by increasing from 3 to 5 the number of members not holding medical or dental degrees

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and reducing from 4 to 2 the number of members who must hold degree of doctor of medicine or doctor of dental surgery.

Amends: 69-4103

108	SB 609	Hazelbaker	7/1/74	3/11/74
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Updates provisions governing referendum and initiative; deletes requirement that Secretary of State certify Governor's signature on referendum; changes time when Secretary of State must send county clerks certified copy of titles and numbers of measures to appear on ballot; changes time when Department of Administration must print and Secretary of State must distribute to county clerks copies of each measure listed on ballot.

Amends: 37-104.1, 37-105, 37-107

109	SB 615	McDonald	1/1/75	3/11/74
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Changes regular school election day from first Saturday in April to first Tuesday in April of each year.

Amends: 75-5912, 75-6404

110	SB 634	McNamer	3/11/74	3/11/74
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Revises the bonding requirements for persons registering subdivided lands outside the state; increases the maximum amount of bond from \$10,000 to \$50,000; permits the Board of Real Estate to require a lesser amount of bond; relates the damages which the bond secures to a violation of Montana statutes and regulations.

Amends: 67-2124

111	SB 640	McGowan	7/1/74	3/11/74
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Authorizes Board of Land Commissioners to lease state lands for development of geothermal resources; sets forth the rights of the lessee and the state in such contracts; establishes minimum royalty and rental rates; provides for compensation of surface lessees;

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provides for compensation of geothermal lessees for improvements and for fixing value of such improvements; provides for acquisition of water rights in connection with geothermal development; provides for resolution of lease conflicts when the same land has been leased for several uses.

Enacts: 81-2601 through 81-2613

112	SB 654	Drake	7/1/74	3/11/74
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Permits the filing of work requirements on lode or placer mining claims to be satisfied by performing work on contiguous patented claims.

Amends: 50-704

113	SB 668	Flynn	7/1/74	3/11/74
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Reduces good time allowances for prisoners who have been convicted of 3 or more felonies within any 10-year period, excluding time spent in prison; applies only to persons sentenced after July 1, 1974.

Amends: 80-1905

114	SB 691	Deschamps (by request)	7/1/74	3/11/74
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Defines honey; prohibits the marketing of any product labeled as honey which is not honey as defined; prescribes standards for the labeling of products in semblance of honey.

Amends: 27-702, 27-703

115	SB 709	McGowan	7/1/74	3/11/74
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Permits Board of Natural Resources and Conservation to waive compliance with Utility Siting Act in cases where utility facilities are being relocated in conjunction with public highway construction and where the relocation of the facilities will not significantly affect the environment.

Amends: 70-806

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116	SB 728	McGowan	3/11/74	3/11/74
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Authorizes Department of Natural Resources and Conservation to suspend, until March 11, 1977, action on any application for a permit to appropriate surface water from any stream in the Yellowstone River Basin when the intended use of the water involves a reservoir of at least 14,000 acre-feet of total capacity, a flow of at least 20 cubic feet per second, or a change in purpose of use; provides that the suspension period may end sooner if the department completes a final determination of existing rights in the Basin pursuant to the Montana Water Use Act; allows the department to suspend action individually on other applications after hearing; provides for flow reservations; exempts water uses by utility facilities approved under Utility Siting Act; permits the department to approve certain changes of use.

Enacts: 89-8-103 through 89-8-111

117	HB 576	Bardanouve	7/1/74	3/11/74
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Submits to the voters a proposed amendment to Article IX, Section 2 of the Constitution of Montana which would establish a resource indemnity trust to be forever inviolate and guaranteed by the state against loss or diversion.

Amends: Article IX, section 2, state constitution

118	HB 577	Fasbender	7/1/74	3/11/74
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Authorizes the creation of a collection service in the Department of Revenue to centralize the collection of debts owed to the state; establishes preconditions to the department's assistance; authorizes the offsetting of tax refunds due individuals against the debtor when the debtor has received notice and opportunity for a hearing; provides that any moneys received are to be credited to the agency to whom the debt was owed.

Enacts: 84-7101 through 84-7111

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119	HB 587	Hodges	7/1/74	3/11/74
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Abolishes the authority of city councils to levy a poll tax.

Repeals: 11-951

120	HB 592	Marbut	7/1/74	3/11/74
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Codifies and generally revises the laws relating to the Department of Institutions.

Amends: 10-611, 10-612, 38-107, 38-108(2), 38-109, 38-110, 38-120, 38-207, 38-208, 38-208.1, 38-208.2, 38-208.3, 38-209, 38-210, 38-213, 38-301, 38-302, 38-303, 38-401 through 38-405, 38-406.2*, 38-407, 38-408, 38-502 through 38-507, 69-6403 through 69-69-6406, 80-1401 through 80-1403, 80-1405, 80-1406, 80-1410 through 80-1416, 80-1501, 80-1601, 80-1603, 80-1909, 80-2105, 80-2106, 80-2213, 80-2310, 80-2312, 80-2401, 80-2401.1, 80-2402, 80-2403, 80-2405, 80-2406, 80-2407, 80-2409, 80-2410, 80-2411, 80-2501, 80-2502, 80-2604, 80-2606, 80-2608, 80-2609, 80-2610, 82A-804 through 82A-806, 95-505 through 95-508, 95-2218, 95-2226, 95-2305, 95-2311, 95-3204 through 95-3207, 95-3210, 95-3214, 95-3215
Enacts: 38-106.1, 80-1407.1, 82A-801.1
Repeals: 38-108(1), 38-117, 38-119, 38-406.1, 69-6402, 80-1404, 80-1407 through 80-1409, 80-2207, 80-2311, 80-2601 through 80-2603, 82-903, 82A-803, 82A-807, 94-9851, 95-3208

121	HB 593	Marbut	7/1/74	3/11/74
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Codifies and generally revises the laws relating to the Department of Social and Rehabilitation Services.

Amends: 10-701, 10-801, 10-803 through 10-807, 10-810, 10-811, 41-801*, 41-803*, 41-805*, 41-806*, 41-808*, 41-810*, 41-812*, 41-813*, 61-213, 71-210, 71-218, 71-222, 71-223, 71-228, 71-229, 71-306, 71-307, 71-308, 71-501, 71-708, 71-709, 71-1401, 71-1404, 71-1407, 77-1002*, 77-1005*, 77-1006*, 77-1007*, 77-1009*, 77-1010*, 82-3504*, 82-3505*, 82A-1905
Enacts: 71-201.1, 71-210.1, 71-1901, 82A-1901.1,

* Also rennumbers

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82A-1904, 82A-1900, 82A-1911, 82A-1912
 Repeals: 10-505, 41-302, 41-804, 41-807, 41-809,
 41-811, 41-814, 41-815, 71-201 through 71-206, 71-
 208, 71-209, 71-220, 71-224, 71-225, 71-232, 71-310,
 71-603, 71-707, 71-801, 71-902 through 71-904, 71-
 1101 through 71-1107, 71-1402, 71-1403, 71-1410
 through 71-1415, 71-1513, 71-1523, 77-1001, 77-1008,
 77-1011, 82-3501 through 82-3503, 82A-1902 through
 82A-1904, 82A-1907, 82A-1908

122 HB 598 Brand 7/1/74 3/11/74

Allows policemen and highway patrolmen to secure
 social security coverage; provides for referenda by
 the affected units to determine whether the coverage
 is desired.

Amends: 59-1102.1, 59-1108

123 HB 599 Ulmer 7/1/74 3/11/74

Permits state agencies to contract with rehabilita-
 tion oriented programs located in Montana without
 competitive bidding in instances where the value of
 the contract does not exceed \$5,000.

Enacts: 82-1938 through 82-1940

124 HB 610 Turman 7/1/74 3/11/74

Provides that municipal judges' salaries must be
 set by city ordinance rather than by statute.

Amends: 11-1704

125 HB 635 Roberts 7/1/74 3/11/74

Requires the installation of underground electric
 lines in new service areas where technically and
 economically feasible; defines new service area;
 permits Public Service Commission to make rules.

Enacts: 7-304

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126	HB 643	Brown	3/11/74	3/11/74
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Mandates sentence of death upon conviction of aggravated kidnapping when victim dies as result of the criminal conduct.

Amends: 94-5-304

127	HB 661	Fasbender	3/11/74	3/11/74
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Applies the Administrative Procedure Act to rule-making proceedings before the Board of Milk Control to fix milk price indices; removes inconsistent rule-making procedures; provides for fixing the level of assessment on milk producers and distributors by rule rather than by statute; and updates references to state agencies.

Amends: 27-407, 27-409

128	HB 664	Bardanouve	1/1/75	3/11/74
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Transfers responsibility for auditing police reserve funds from local trustees of such funds to the Department of Intergovernmental Relations; directs the department to prepare, biennially, actuarial valuations of such funds; transfers power to invest surplus moneys in such funds to the state Board of Investments; transfers investment functions from local trustees to state Board of Investments after January 1, 1975; repeals power of local trustees to recommend whether police department member should be placed on reserve list; and earmarks part of revenue from motor vehicle insurance premium tax to fund actuarial valuations.

Amends: 11-1829, 11-1835

129	HB 686	Towe	7/1/74	3/11/74
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Provides that halfway houses and district youth guidance homes serving no more than eight persons shall be considered single-family residences for the purposes of enforcing zoning by-laws or safety or sanitary regulations.

Amends: 11-2702.1, 11-2702.2

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130	HB 702	Lockrem	7/1/74	3/11/74
Provides for filing oil and natural gas production statements within 60 days following the end of a calendar quarter rather than immediately following that quarter.				
Amends: 60-145				
131	HB 711	Roberts	7/1/74	3/11/74
Limits each side litigating before a 6-person jury in district court to 3 peremptory challenges of prospective jurors.				
Amends: 95-1909				
132	HB 734	Schye	7/1/74	3/11/74
Allows county commissioners, when 3 mill levy for support of public hospital district yields insufficient revenue to support the district, to submit the question of an additional levy of up to 3 mills to the voters; provides that at least 30% of the eligible voters must vote, and a majority vote in favor of the question, in order to approve the additional levy.				
Enacts: 16-4309.1, 16-4309.2				
133	HB 736	Bardanoue	7/1/74	3/11/74
Changes required deposit from person bidding for lease of state lands from amount equal to annual rental bid to 20% of annual rental bid.				
Amends: 81-436				
134	HB 737	Bardanoue	7/1/74	3/11/74
Empowers Board of Land Commissioners to lease state lands for agricultural use on a crop share rental basis less than one-fourth the value of annual crop production where the crops produced involve high production costs; prohibiting the board from delegating this power.				

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Amends: 81-402

135	HB 738	Bardanoue	7/1/74	3/11/74
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Authorizes the Board of Land Commissioners to lease state lands for purposes other than those related to agriculture and mineral resources; extends the maximum lease term from 5 to 25 years.

Amends: 81-402, 81-407, 81-408
Enacts: 81-103.1

136	HB 740	Bardanoue	7/1/74	3/11/74
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Provides that rental payments for oil and gas leases on state owned land are due and payable before the beginning of the next lease year instead of 30 days before the new lease year as previously provided.

Amends: 81-1702.1

137	HB 742	Greely	3/11/74	3/11/74
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Excludes extraditions from the list of documents for which the Secretary of State must charge a \$5 fee.

Amends: 25-102

138	HB 781	Fagg	7/1/74	3/11/74
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Deletes requirement that bids on special improvement district projects must be opened at city council meetings; provides that such bids shall be opened in public at a time and place previously designated by the city council.

Amends: 11-2209

139	HB 783	Quilici	7/1/74	3/11/74
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Requires motor carriers to inspect claims for damage to shipments within 5 days of notice of such damage and to dispose of claims so presented within 120 days of notice or to explain the delay in disposition;

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requires claimant to give notice of damage within 15 days of receipt of goods; provides that carrier's liability for damage to shipment does not include damage resulting from the act or default of the shipper or owner of the goods or natural shrinkage.

Amends: 8-812

140	HB 786	Swanberg	7/1/74	3/11/74
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Removes prohibition against advertising liquor on billboards or illuminated signs; removes prohibition against displaying signs or posters containing references to taverns, wines, liquor, or words of like import.

Amends: 4-170

141	HB 788	Regan	3/11/74	3/11/74
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Abolishes the property tax administration fund; provides that the act applies to all taxes levied and assessed after January 1, 1974.

Repeals: 84-429.8

142	HB 793	Healy	7/1/74	3/11/74
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Abolishes \$2 license fee requirement for a gasoline station.

Repeals: 60-225

143	HB 796	Schye	7/1/74	3/11/74
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Abolishes million-dollar minimum coverage required in liability insurance for governmental entities; permits Department of Administration to set minimum coverage by regulation.

Amends: 82-4303

Repeals: 82-4307

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144	HB 802	Norman	7/1/74	3/11/74
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Permits claimant for unemployment compensation to inspect his work and wage earnings records as necessary for the proper presentation of his claim.

Amends: 87-124

145	HB 813	Glennen	3/11/74	3/11/74
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Exempts solid waste contractors, household goods carriers and local carriers licensed for pick-up and delivery service within a 50 mile or less radius of a particular point, from those class C motor carriers required to operate under a class B motor carrier certificate.

Amends: 8-102

146	HB 815	Asbjornson	7/1/74	3/11/74
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Transfers the duties of town treasurer to the town clerk; permits the town clerk to be ex officio tax collector; abolishes the position of town treasurer.

Amends: 11-703, 11-731, 11-807

Enacts: 11-805.1, 11-805.2

147	HB 818	Fasbender	3/11/74	3/11/74
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Clarifies procedures for elections in drainage districts; creates procedure by which drainage district existing on effective date of Chapter 409, Laws of 1973 may choose to be governed by the provisions of the chapter.

Amends: 89-2330.1

Enacts: 89-2330.3

148	HB 823	Brand	7/1/74	3/11/74
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Provides that the accumulation of annual leave for public officers and employees may not exceed two times the maximum number of days earned annually; and deletes 30-day limitation on accumulating annual leave.

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<hr/> Summary of Provisions <hr/>				
	Amends: 59-1002			
149	HB 827	Towe	7/1/74	3/11/74
	Transfers the administration of homes for the developmentally disabled from the Department of Institutions to the Department of Social and Rehabilitation Services.			
	Amends: 71-2001, 71-2003 through 71-2006			
150	HB 828	Towe	7/1/74	3/11/74
	Changes the definition of "long-term care facility" as a place which provides personal care to more than 3, rather than 2, persons.			
	Amends: 69-5201			
151	HB 839	Cotton	7/1/74	3/11/74
	Provides that provisions contained in individual teacher contracts shall be consistent with the provisions of the agreement negotiated between the board and the bargaining unit of which the teacher is a member.			
	Amends: 75-6122			
152	HB 840	Lundgren	7/1/74	3/11/74
	Removes requirements that a guest of a hotel must have baggage and personal effects in the hotel in order to keep liquor in his room; deletes reference to individual permits required to keep liquor in a hotel room.			
	Amends: 4-169			
153	HB 853	Asbjornson	7/1/74	3/11/74
	Increases the term of office for members of the Board of Nursing Home Administrators from 3 to 5 years.			
	Amends: 66-3102			

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Summary of Provisions

154	HB 857	Bennetts	3/11/74	3/11/74
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Provides that public employees called to jury duty may either take annual leave time and keep jury fees or pay all fees received to the appropriate accounting office and receive normal pay and benefits as though there had been no interruption of work.

Amends: 59-1010

155	HB 885	Yardley	7/1/74	3/11/74
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Corrects numbering errors previously made in the section on conservation of school districts.

Amends: 75-6509

156	HB 887	Lucas	7/1/74	3/11/74
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Provides that theft, as defined in Montana Criminal Code, includes obtaining telephone, telegraph, or cable television services by any of several defined means with intent to defraud.

Enacts: 94-6-304.1

157	HB 899	Lee	7/1/74	3/11/74
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Requires the trustees of a school district to notify a tenured teacher whose services they are terminating by registered mail, or by personal notification for which a signed receipt is returned; requires the notification to include a printed copy of Section 75-6104, R.C.M. 1947, for the teacher's information.

Amends: 75-6104

158	HB 912	Brand	7/1/74	3/11/74
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Abolishes the old Board of Pardons.

Repeals: 82-903

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159	HB 914	Lombardi	7/1/74	3/11/74
Deletes fourth Monday in October from the list of school holidays.				
Amends: 75-7406				
160	HB 916	Kimble	7/1/74	3/11/74
Requires the state Co-ordinator of Indian Affairs be an Indian appointed by, and serving at, the pleasure of the Governor; deletes reference to certain specific duties of the office.				
Amends: 82-2701 through 82-2703				
161	HB 922	Lien	7/1/74	3/11/74
Requires 15 days written notice to surface owner of record before an oil or gas well may be plugged and abandoned; provides for the burial of well pipe for such well at least 3 feet below ground at surface owner's request.				
Enacts: 60-901				
162	HB 926	Murphy	7/1/74	3/11/74
Establishes a presidential preference primary; provides for the ballot to be used for voting in the primary; provides for nomination of candidates on the ballot by the verified signatures of at least 1,000 qualified electors from each congressional district; permits persons nominated to remove their names from the ballot by filing affidavit of non-candidacy.				
Enacts: 23-3322 through 23-3328				
163	HB 927	Baeth	3/11/74	3/11/74
Provides that a member of a pure volunteer fire department who has completed at least 10 but less than 20 years active service is entitled to a partial pension if the cause of not completing 20 years service was reasonably beyond his control.				

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Summary of Provisions

Amends: 11-1925

164	HB 928	Lynch	7/1/74	3/11/74
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Requires the Commissioner of Labor and Industry to deposit wage claim amounts received into the agency fund and to attempt to make payment to the entitled person; provides that wages still in the agency fund after 2 years shall be forfeited to the state general fund.

Enacts: 41-1314.3

165	HB 938	Murphy	7/1/74	3/11/74
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Increases the compensation and allows for actual and necessary expenses for members of the Board of Medical Examiners.

Amends: 66-1020

166	HB 939	Murphy	7/1/74	3/11/74
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Provides that a physician who has graduated from an approved Canadian medical school and who is licensed by the Medical Council of Canada shall have the same rights to hold a temporary certificate to practice medicine or a certificate to practice medicine as are extended to physicians licensed by the National Board of Medical Examiners or the Federal Licensing Examination Committee.

Amends: 66-1025, 66-1026

167	HB 940	Murphy	7/1/74	3/11/74
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Authorizes the Board of Medical Examiners to set examination fees commensurate with costs; requires an initial application fee of \$100; requires an examination fee to be charged for each additional examination.

Amends: 66-1031, 66-1033

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Summary of Provisions

168	HB 942	Lynch	3/11/74	3/11/74
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Provides that in the event of the death of any volunteer fireman who has not reached the age of 55 but who has otherwise qualified for full or partial participation under the volunteer firemen's pension plan, then such full or partial participation pension shall be paid to his widow or minor children.

Amends: 11-2025

169	HB 947	Fagg	3/11/74	3/11/74
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Provides that polling places may be located outside the boundaries of each precinct; provides for publication of the location of polling places.

Amends: 23-3103

170	HB 954	Baeth	3/11/74	3/11/74
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Provides for the funding of fire department relief associations disability and pension funds in third class cities by requiring the city council to impose a 1 to 4 mill levy whenever the amount in the fund is less than 2% of the taxable valuation of all taxable property in the city.

Amends: 11-1912

171	HB 958	Bradley	7/1/74	3/11/74
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Permits Board of Regents to waive resident tuition for students in the Montana university system who are at least 62 years old.

Amends: 75-8601

172	HB 966	Turman	7/1/74	3/11/74
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Permits counties to acquire and conduct cemeteries already established and conducted by municipal corporations.

Amends: 9-401

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Summary of Provisions

173	HB 1021	Lynch	3/11/74	3/11/74
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Requires insurers to give written notice to the Division of Workmen's Compensation of the denial of a claim for compensation; deletes the requirement that bi-weekly payments be made until the claimant is released by his doctor, returns to work, or no longer suffers a loss of earnings capacity; provides that an insurer who determines to deny a claim on which payments have been made during a time of further investigation must give the claimant and the division at least 15 days' written notice; allows an insurer to make payments of compensation benefits without such payments being construed as an admission of liability or a waiver of any right of defense; provides for the payment by the insurer of reasonable costs and attorney's fees in adjudicated cases where the claim is found compensable; and allows an insurer to suspend compensation payments, with the approval of the division, for not more than 30 days pending the receipt of medical information.

Amends: 92-615, 92-616

174	HB 1060	Yardley	3/11/74	3/11/74
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Provides that a person convicted of criminal possession of dangerous drugs shall be punished by imprisonment in the state prison for not more than 5 years, unless the offense involved criminal possession of no more than 60 grams of marijuana or its derivatives or 1 gram of hashish.

Amends: 54-133

175	HB 1074	Holtz	7/1/74	3/11/74
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Clarifies the definition of the practice and teaching of cosmetology by excluding from the definition certain acts performed by itinerant cosmetologists and cosmetological artists.

Amends: 66-802

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Summary of Provisions

176	HB 1083	Murphy	3/11/74	3/11/74
<p>Permits boards of county commissioners to appropriate and expend funds for bicentennial purposes.</p> <p>(Automatically repealed 1/1/77)</p>				
177	HB 1098	Lee	7/1/74	3/11/74
<p>Alters the qualifications of a mayor by lowering the age limit from 25 to 21 years.</p> <p>Amends: 11-710</p>				
178	SB 240	Lynch	7/1/74	3/12/74
<p>Establishes a sheriffs' retirement system; creates a sheriffs' retirement board; places the administration of the system with the Public Employees' Retirement System; provides for the funding of the system; establishes eligibility criteria; prescribes differing classes of retirement.</p> <p>Enacts: 68-2601 through 68-2629</p>				
179	SB 479	Moore	7/1/74	3/12/74
<p>Establishes a noise emission limitation for motorcycles; provides for the gradual lowering of the permissible decibel limit for new motorcycles.</p> <p>Amends: 32-21-105.1</p>				
180	SB 530	Lowe	7/1/74	3/12/74
<p>Provides that the additional public contractors' license fee shall be computed on the entire contract for each separate contract; provides that the prime contract shall withhold proportionate fractions of the additional license fee owed by each of his subcontractors and inform the Department of Revenue of the proportions so withheld and the subcontractors concerned.</p> <p>Amends: 84-3505</p>				

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181	SB 574	Bollinger	3/12/74	3/12/74
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Authorizes the county departments of public welfare and the state Department of Social and Rehabilitation Services to accept the federal social security administration's determination of eligibility for medical care.

Amends: 71-1520

182	SB 577	Deschamps	7/1/74	3/12/74
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Requires safety chains of at least 1/4" diameter to connect the front of a trailer, semitrailer or pole trailer weighing 3000 pounds or less gross with the towing unit.

Amends: 32-21-122

183	SB 604	McGowan	3/12/74	3/12/74
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Authorizes the Board of Horse Racing to suspend or revoke the license of a person or to assess a fine not to exceed \$500 against a person who violates the horse racing act or any rule of the board; requires the board to promulgate regulations to implement the act and to provide for hearings for individuals against whom action might be brought.

Amends: 62-508

184	SB 639	Drake	7/1/74	3/12/74
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Abolishes requirements to file financial responsibility reports and to deposit security prior to any legal action for the payment of future judgments which may arise out of motor vehicle accidents from the Motor Vehicle Safety -- Responsibility Act.

Amends: 53-428, 53-449, 53-450

Repeals: 53-421 through 53-427

185	SB 648	Klindt	7/1/74	3/12/74
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Requires that notice of public hearings regarding the regulation of railroads be given the Consumer

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Counsel; requires that the availability of the Consumer Counsel to function on behalf of the consuming public be made a part of all forms of public notice announcing the hearing.

Enacts: 72-170, 72-171

186	SB 669	Bollinger	7/1/74	3/12/74
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Establishes certain offices of the legislature; provides that they shall be elected or appointed by the house in which they are employed.

Enacts: 43-214.1

187	SB 676	McOmber	7/1/74	3/12/74
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Grants the new owner of a transferred motor vehicle a 10-day grace period from the date of purchase to make application for registration of the vehicles; permits the owner to legally operate the vehicle during the grace period provided that proof of purchase including the date of purchase be clearly displayed in the rear window of the vehicle; and provides penalties for violation.

Amends: 53-147

188	SB 732	Lynch	3/12/74	3/12/74
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Removes the limitation on the amount governing bodies may contribute to group health insurance programs for employees of elementary and high school districts.

Amends: 11-1024

189	HB 607	Quillici	7/1/74	3/12/74
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Extends the time allowed for filing of claims under disability insurance policies from 20 days to 6 months.

Amends: 40-4008

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190	HB 671	Menahan	7/1/74	3/12/74
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Permits a member of the Public Employees' Retirement System to convert non-creditable service to membership service through payment in installments over longer time periods; gives board of administration authority to assess up to .003 of gross compensation for administrative expenses of Public Employees' Retirement System; changes method of calculating reduction of retirement allowances for retirees who return to covered employment from a per day reduction to a dollar for dollar reduction based on earnings in excess of the minimum wage per month; permits beneficiary to claim survivorship allowance if deceased member completed 10 years of creditable service, regardless of retirement eligibility; makes technical changes to correct errors in recodification of P.E.R.S. Act.

Amends: 68-1503, 68-1607, 68-1904, 68-2202 through 68-2204, 68-2304, 68-2305, 82A-210

191	HB 739	Bardanoue	7/1/74	3/12/74
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Permits the Board of Land Commissioners to set the rate of interest on the unpaid portion of the purchase price of state lands; requires that the rate be at least 5% per year; requires the board to set the rate for all land purchase contracts by December 31 of the year preceeding the year of the making of the contract.

Amends: 81-915

192	HB 801	Watt	7/1/74	3/12/74
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Amends the Montana Water Use Act to provide that the use of water for slurry to transport coal from Montana is not a beneficial use.

Amends: 89-867

193	HB 806	Cox	7/1/74	3/12/74
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Provides for the self support of the media library program by means of rental fees set by the Superintendent of Public Instruction; establishes a re-

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volving fund for the media library program; permits the Superintendent of Public Instruction to use any money in the revolving fund including legislative appropriation for the operation and enlargement of the media library.

Amends: 75-7511

194	HB 843	Kimble (by request)	7/1/74	3/12/74
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Raises the workman's compensation burial expenses benefit from \$500 to \$1,100.

Amends: 92-705

195	HB 848	Judiciary Committee	7/1/74	3/12/74
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Raises the exemption from inheritance tax allowed the surviving spouse from \$20,000 to \$25,000.

Amends: 91-4414

196	HB 852	Jacobsen	7/1/74	3/12/74
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Increases maximum allowable charges by public warehousemen for handling, cleaning and storing grain; requires warehouses with cleaning facilities to return screenings to the owner only at his request; specifies that period of free storage is 15 days; increases the market price per bushel of wheat at which a 25% reduction in the foregoing schedule of charges is permitted.

Amends: 3-208

197	HB 907	Lombardi	7/1/74	3/12/74
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Provides for court enforcement of certain determinations made after hearings before the Commissioner of Labor and Industry; provides that the application cannot be made until the time for the employer to initiate proceedings for judicial review has passed; provides that a proceeding under this section is not a review of validity of commissioner's

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determination.

Enacts: 41-1314.4

198	HB 920	Greely	7/1/74	3/12/74
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Removes the liability of lessors for unpaid wages of lessee's employees under the Restaurant, Bar and Tavern Wage Protection Act.

Amends: 41-2002 through 41-2006

Repeals: 41-2007, 41-2009, 41-2011

199	HB 1069	Edland	3/12/74	3/12/74
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Requires licensees conducting horse race meetings to pay all unclaimed winning ticket money from any pari-mutuel pool to the Department of Professional and Occupational Licensing within 30 days of the end of the meeting.

Enacts: 62-515

200	HB 1082	Hager	7/1/74	3/12/74
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Changes the graduated scale of store license fees paid by retail chain stores; provides one schedule for stores grossing more than \$350,000 and another for stores grossing less than \$350,000; provides that all stores in a chain are to be included to determine the size of the chain regardless of the size, even though one or more stores may be included in a different category for this license; and requires in such a determination that the larger units be counted last.

Amends: 84-2405

201	HB 741	Galt	7/1/74	3/14/74
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Deletes requirement that Department of Revenue analyze dwelling sales ratios before board of county commissioners may set mill levy over specified level.

Amends: 16-1015

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202	HB 794	Kendall	7/1/74	3/14/74
Empowers city and town councils to increase the penalties that may be imposed for violation of city ordinances to a maximum \$500 fine and 6 months imprisonment.				
Amends: 11-950				
203	HB 991	Healy	3/14/74	3/14/74
Provides that the payments to a person receiving silicosis benefits will be transferred upon that person's death to the surviving spouse to continue so long as the surviving spouse remains unmarried.				
Enacts: 71-1010				
204	SB 504	Drake	7/1/74	3/14/74
Enacts Montana Small Business Purchasing Act; enables state agencies to set aside a portion of their requirements for commodities, equipment or services for bidding by qualified Montana small businesses; permits agency to withdraw small business set-aside designation if less than 3 bids are received or if no satisfactory bid is received; requires agency to advertise name and address of a successful bidder for a small business set-aside contract.				
Enacts: 82-1929 through 82-1937				
205	SB 506	Drake	7/1/74	3/14/74
Provides that the absence of required signs indicating the use of radar or similar devices to enforce traffic laws shall not invalidate an otherwise proper arrest.				
Amends: 32-2150.3				
206	SB 526	Lowe	7/1/74	3/14/74
Permits a right turn against a red light when the turn can be safely made unless forbidden by sign at the intersection.				

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Amends: 32-2137

207	SB 536	Bennett	7/1/74	3/14/74
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Permits the incorporation of firms engaged in the practice of public accounting; prescribes requirements for such corporations and their shareholders; and provides for the registration of such corporations.

Amends: 66-1832, 66-1835, 66-1838

Enacts: 66-1829.1, 66-1831.1

208	SB 542	Bollinger	7/1/74	3/14/74
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Requires the recipient of general relief from a county department of public welfare to register for employment with the State Employment Service and accept available employment within his capability; and provides that failure to accept employment will render the recipient ineligible for further general relief assistance.

Amends: 71-307

209	SB 558	Klindt	3/14/74	3/14/74
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Deletes the excavation of clay from the Strip Mining and Reclamation Act and places it under the Open Cut Mining Act.

Amends: 50-1036, 50-1502 through 50-1504

210	SB 572	Bollinger	3/14/74	3/14/74
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Repeals sections of the state public welfare act which were repealed by the Federal Social Security Act as of January 1, 1974.

Repeals: 71-401 through 71-411, 71-413, 71-601 through 71-607, 71-609 through 71-614, 71-1201 through 71-1210

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211	SB 588	Thiessen	3/14/74	3/14/74
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Provides that the county superintendent is not required to approve a tuition application for students to attend high school outside of Montana if the resident district provides transportation.

Amends: 75-6316

212	SB 649	Bollinger	7/1/74	3/14/74
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Requires notice of all hearings concerning the regulation of utilities to be served on the Consumer Counsel; requires all forms of notice, including those posted in public places and in the legal section of newspapers to advise of the existence of the office of Consumer Counsel and its availability to function on behalf of members of the consuming public.

Enacts: 70-710, 70-711

213	SB 651	Bollinger	7/1/74	3/14/74
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Revises state employees' per diem allowance to provide that an employee regularly working between 8 a.m. and 5 p.m. must begin travel before 7 a.m. in order to be entitled to per diem other than \$2 for a noonday meal, if he returns before 6 p.m. that day; provides breakfast and supper allowances for employees regularly assigned to work other than between 8 a.m. and 5 p.m.

Amends: 59-539

214	SB 671	Hazelbaker	3/14/74	3/14/74
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Allows the Twin Bridges high school district to increase its general fund budget by the amount of tuition paid to the district the previous year under Section 75-6319, R.C.M. 1947.

Amends: 75-6923

215	SB 689	Bertsche	3/14/74	3/14/74
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Establishes an educational broadcasting commission,

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under the state Board of Education for administrative purposes; directs commission to provide non-commercial educational programs to educational institutions and the general public; prescribes its powers and duties; requires noncommercial and non-political programming; requires the Division of Communications in the Department of Administration to assist the commission; abolishes the Education Television Advisory Committee under the Superintendent of Public Instruction.

Amends: 82-3325

Enacts: 75-9001 through 75-9004, 82A-511

Repeals: 75-5710, 75-5711

216	SB 698	Moritz	7/1/74	3/14/74
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Provides that the Department of Highways shall allocate available state construction funds to match federal-aid highway funds made available by the Federal-Aid Highway Act of 1973 for certain safety construction programs.

Enacts: 32-2613

217	HB 478	Lund	7/1/74	3/15/74
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Requires political committees to file organization statements with appropriate government officials at least 15 days before expending or contracting to expend any funds; provides a penalty.

Enacts: 23-4728.1

218	HB 617	Lund	7/1/74	3/15/74
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Codifies and generally revises the laws relating to the Department of Agriculture.

Amends: 3-107, 3-113*, 3-114*, 3-116*, 3-117*, 3-119*, 3-123*, 3-205, 3-207 through 3-213, 3-215 through 3-218, 3-221, 3-222, 3-227, 3-229 through 3-233, 3-512*, 3-513*, 3-702, 3-704, 3-705, 3-706, 3-708, 3-709, 3-710, 3-712, 3-713, 3-714, 3-805, 3-809,

* Also renumbers

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3-814, 3-820*, 3-821*, 3-1002, 3-1004, 3-1103, 3-1104, 3-1106, 3-1201, 3-1202, 3-1203, 3-1204, 3-1205, 3-1206, 3-1207, 3-1209, 3-1210, 3-1211*, 3-1212, 3-1213, 3-1214, 3-1216, 3-1301 through 3-1303, 3-1305*, 3-1306, 3-1308, 3-1402 through 3-1404, 3-1407, 3-1408, 3-1410, 3-1501 through 3-1515*, 3-1714, 3-1715, 3-1717, 3-1718, 3-1721 through 3-1727, 3-1730, 3-1732*, 3-1906, 3-1908, 3-1909, 3-2801 through 3-2805, 3-2902, 3-2904, 3-2906, 3-2909, 3-2913, 3-2915, 3-2916, 3-2917, 16-1105, 16-1708, 16-1708.1, 16-1708.3, 27-216, 27-217, 27-222, 27-234 through 27-236, 27-240, 82-804.2*, 82-805 through 82-814*, 82-1501, 82A-301, 82A-304, 84-3001 through 84-3015*, 84-3402 through 84-3408*, 84-3410*, 84-3413 through 84-3416*, 90-203*

Enacts: 3-106.1, 3-232.1, 3-1201.1, 3-1309, 3-1714.1, 3-3104, 3-3105, 82A-301.1

Renumbers: 90-201 through 90-206

Repeals: 3-101 through 3-106, 3-108, 3-109, 3-109.1, 3-110, 3-110.1, 3-111, 3-112, 3-115, 3-118, 3-120 through 3-122, 3-204, 3-304, 3-401 through 3-420, 3-501 through 3-511, 3-601 through 3-610, 3-701, 3-812, 3-815, 3-901 through 3-906, 3-1101, 3-1102, 3-1105, 3-1208, 3-1217, 3-1502 through 3-1509, 3-1601 through 3-1603, 3-1712, 3-1713, 3-1733, 3-1910, 3-1911, 3-2101 through 3-2109, 3-2901, 3-2903, 3-2905, 3-2907, 3-2910, 3-2912, 3-2914, 3-2918, 14-418, 80-501 through 80-505, 82-804.1, 82-804.4, 82-2901 through 82-2903, 82A-302, 82A-303, 82A-305, 84-3401, 84-3409, 84-3411, 84-3412

219 HB 672 R. Harper 7/1/74 3/15/74

Establishes the rights and obligations of landlords and tenants in security deposits; requires landlord to furnish departing tenant with verified list of damages to premises as condition for withholding any part of security deposit; creates tenant's civil action for double the amount of security deposit wrongfully withheld, plus attorney's fees at court's discretion; requires landlord to furnish tenant with written statement of the condition of the premises at the commencement of the lease; and invalidates any clause attempting to waive rights under this act.

Enacts: 42-301 through 42-309

* Also renumbers

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220	HB 764	Gunderson	3/15/74	3/15/74
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Creates a Commission on Federal Higher Education Programs which meets federal requirements for the administration of state plans under federal higher education programs.

Enacts: 75-9001, 75-9002, 75-9003, 82A-512

221	HB 774	Gerke	3/15/74	3/15/74
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Establishes a Commission on Local Government which terminates June 30, 1977; provides for a 9-member commission appointed by the Governor; requires the commission to recommend a revised code of local government law and to make other recommendations for the improvement of local government in reports to the legislature, Governor, and local governments in 1974 and 1975; and authorizes the commission to spend appropriated funds, accept grants, hire staff, conduct and publish studies, hold public meetings and hearings, and consult with and assist local government study commissions.

Enacts: 16-5116, 16-5117, 16-5118, 16-5119, 16-5120, 16-5121

222	HB 805	Kosena	3/15/74	3/15/74
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Provides for local government study commissions to study and make recommendations concerning the structure and powers of units of local government; authorizes a property tax mill levy for the years 1975, 1976 and 1977 to match state funds; also provides a termination date of June 30, 1977.

Enacts: 16-5101 through 16-5115

223	HB 830	Towe	7/1/74	3/15/74
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Allows persons entitled to a class 8 property tax classification (improvement on real property) to submit a mailed, unnotarized application for classification to the Department of Revenue; provides a penalty for false statements.

Amends: 84-301

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224	HB 859	Menahan	7/1/74	3/15/74
<p>Raises the compensation of members of the Board of Cosmetologists to \$25 per day for each day in actual attendance at any meeting of the board.</p> <p>Amends: 66-809</p>				
225	HB 889	Swanberg	7/1/74	3/15/74
<p>Restates definition of resident in connection with eligibility for general relief welfare payments; re-revises criteria for determining county of residence of general relief recipients who move or who become wards or patients in certain medical institutions; redefines county obligations to nonresidents and interstate transients.</p> <p>Amends: 71-308 Enacts: 71-302.2 Repeals: 71-114, 71-116, 71-117, 71-302.1, 71-304</p>				
226	HB 950	Roberts	7/1/74	3/15/74
<p>Generally revises the laws relating to the state building code.</p> <p>Amends: 66-2416, 66-2802, 69-2105, 69-2107, 69-2109, 69-2110, 69-2111, 69-2112, 69-2113, 69-2114, 69-2116, 69-2117, 69-2119, 69-2122, 69-2123, 69-2124, 69-4117, 82-1202, 82-1202.1 Enacts: 82A-215, 82A-216 Repeals: 69-2104, 69-2106, 69-2108, 69-2115, 69-2120, 69-2121</p>				
227	HB 967	Murphy	7/1/74	3/15/74
<p>Authorizes the Board of Medical Examiners to set examination fees for physical therapists which are commensurate with costs; permits the board to set the license fee of an applicant licensed elsewhere in the U. S. in the event the Montana examination is waived.</p> <p>Amends: 66-2503, 66-2505</p>				

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Summary of Suggestions

228 HB 1056 Lucas 7/1/74 3/15/74

Directs Board of Investments to endeavor to utilize the services of investment firms maintaining offices in the state; urges consideration of investments benefiting Montana's smaller communities; requires that the state's investment business be directed to out-of-state firms only when there is distinct economic advantage to the state.

Amends: 79-310

229 HB 1081 Driscoll 7/1/74 3/15/74

Provides for an up to \$50 deduction from adjusted gross income for political contributions by taxpayers who are natural persons.

Enacts: 84-4906.1, 84-4906.2

230 HB 699 Forsgren 7/1/74 3/16/74

Authorizes the trustees of a school district to adopt a general fund budget of up to 112% of the general fund budget of the preceding year, rather than the 107% limitation formerly allowed; permits an increase greater than 112% of the preceding year's general fund budget in fiscal year 1975 upon notice of the increase being filed with the Superintendent of Public Instruction setting forth the means for the increase; permits exceeding the 112% limitation when new programs under Section 75-6903 are created or existing ones expanded as a result of ANB increases under Section 75-6903 or to continue federal programs if federal funds are withdrawn or withheld.

Amends: 75-6923

231 HB 1009 Bardanouve 3/16/74 3/16/74

Amends the Utility Siting Act by extending the definition of "commence to construct" to include the commencement of eminent domain proceedings.

Amends: 70-803

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232	SB 434	McGowan	7/1/74	3/21/74
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Changes composition of Water Well Contractor's Examining Board from 3 members and 1 non-voting member to 5 members; allows the directors of Natural Resources and Conservation and Health and Environmental Sciences to designate alternates to attend board meetings; adds to the operations exempted from regulation excavations not more than 25 feet deep for stock watering or irrigation and development of springs; and permits farmer or rancher to drill wells on his own land without licensing provided he obtains permit from board; changes period of apprenticeship from 3 years to 1 year.

Amends: 66-2601, 66-2602, 66-2608, 66-2609, 82A-1606
Enacts: 82A-1602.26

233	SB 524	Hall	7/1/74	3/21/74
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Prohibits the sale of baby fowl and rabbits as pets, toys, premiums or other novelties; prohibits the sale or transport into the state of such baby animals that are dyed, stained, or otherwise altered as to color; exempts from the provisions of this act breeders or stores engaged in the business of aviculture; provides a penalty.

Enacts: 3-2110, 3-2111

234	SB 545	Hazelbaker	7/1/74	3/21/74
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Provides for licensing and regulation of private investigators and security patrol operators by Department of Professional and Occupational Licensing; forbids practice without license; establishes exemptions, examination for licensing, form of licenses; requires surety bonds of licensees; authorizes director to suspend or revoke licenses for specified misconduct; makes violations for act misdemeanors; provides for renewal of licenses; and sets fee schedule for licensing.

Enacts: 66-3301 through 66-3331

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235	SB 559	Klindt	7/1/74	3/21/74
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Deletes mining of phosphate rock from the Strip Mining and Reclamation Act and places mining of phosphate rock and scoria under the Open Cut Mining Act.

Amends: 50-1036, 50-1502 through 50-1504

236	SB 568	Darrow	7/1/74	3/21/74
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Removes time limit on legislature's authority to repeal a published administrative rule by joint resolution; permits legislature to direct that an administrative rule be changed or promulgated; authorizes legislator, when legislature is not in session, to petition an agency for the promulgation, amendment, or repeal of a rule without stating a personal interest in the matter, provided the legislator acts on behalf of an interested person.

Amends: 82-4203.1, 82-4207

237	SB 573	Bollinger	3/21/74	3/21/74
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Authorizes Department of Social and Rehabilitation Services to provide, in conjunction with services to the blind, services to prevent blindness or to restore the eyesight of blind persons.

Amends: 71-1404

238	SB 650	Harrison	3/21/74	3/21/74
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Amends the Water Use Act of 1973; authorizes Board of Natural Resources and Conservation to adopt rules governing interim approval of changes in appropriation rights; prohibits commencing to construct diversion, impoundment, withdrawal or distribution works prior to the issuance of a permit; exempts any well yielding less than 100 gallons per minute from permit requirements, unless the well is in a controlled groundwater area; and revises notice provisions in connection with physical or legal changes in appropriation rights.

Amends: 89-869, 89-880, 89-892, 89-893

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239	SB 655	Turnage	3/21/74	3/21/74
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Provides that governmental entity employer must be joined in any suit against a governmental entity employee for acts resulted in the course of his employment; provides immunity from suit for the employee, when the governmental entity employer is sued, unless the suit is based on an intentional tort or felonious act; provides for indemnity of governmental entity employees.

Amends: 82-4323
Enacts: 82-4322.1

240	SB 674	Carl	7/1/74	3/21/74
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Amends Administrative Procedure Act to waive the notice and hearing provisions generally applicable to rule making when an agency adopts a rule describing its organization.

Amends: 82-4203

241	SB 682	McKeon	3/21/74	3/21/74
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Authorizes increased salaries and per diem for probation officers in the juvenile departments of the district courts.

Amends: 10-622

242	SB 685	Lowe	3/21/74	3/21/74
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Allows Department of Administration, when authorized by 2/3 vote of each house of the legislature, to enter into contracts for rental of buildings for state uses with option to purchase; pledges full faith and credit of the state for payment of rent; provides for appointment of architects; limits terms of rental contracts; requires tenant agencies to pay full costs of rent and building maintenance; requires compliance with applicable bidding procedures, building codes and other laws and regulations.

Amends: 82-1918
Enacts: 82-3315.1 through 82-3315.8

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243	SB 694	Bollinger	7/1/74	3/21/74
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Requires all applicants for motor carrier certificates of convenience and necessity to pay for publishing notice of hearings on such applications; specifies the manner in which the Public Service Commission shall publish such notice; directs the commission, when publishing notice of any hearing in connection with motor carrier regulation to advise the public of the available services of the Consumer Counsel; and requires notice of all hearings on motor carrier matters to be served on the Consumer Counsel.

Amends: 8-108 through 8-111
Enacts: 8-901, 8-902

244	SB 702	Boylan	7/1/74	3/21/74
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Allows public employees who have a bona fide religious objection to supporting labor organization to contribute, in lieu of periodic union dues, an amount of money equal to initiation fees, assessments, and union dues to a nonreligious, nonunion charity designated by the labor organization; and provides a method for a public employee to avail himself of this alternative.

Amends: 59-1603

245	SB 710	Drake	7/1/74	3/21/74
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Creates an association to protect policyholders, insureds, beneficiaries, annuitants, payees and assignees of life insurance policies, health insurance policies, annuity contracts and supplemental contracts, subject to certain limitations against failure in the performance of contractual obligations due to the impairment of the insurer issuing such policies or contracts; provides for a board of directors of the association appointed by insurers and approved by the commissioner of insurance; authorizes the board of directors to levy various classes of assessments against insurers to defray the costs and obligations of the association; empowers the board to request the commissioner to investigate any insurer which may, in the board's opinion, become financially impaired; authorizes a receiver managing an insurer under court order in liquidation or rehabilitation proceedings to

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recover certain distributions paid out by the insurer in order to satisfy contractual obligations of the insurer; exempts the association from all taxation other than on real property; provides insurers a credit against premium taxes for their assessments paid to the association; requires the commissioner to inform the association of any impaired insurers; and empowers the commissioner to approve the plan of operation of the association.

Enacts: 40-5801 through 50-5819

246	SB 712	Carl (by request)	7/1/74	3/21/74
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Empowers Board of Regents to authorize president of each unit of university system to prohibit a student from registering while the student has unpaid parking assessments or fines resulting from on-campus parking or traffic violations during the past year.

Amends: 75-8503.3

247	SB 717	McNamer	3/21/74	3/21/74
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Allows any individual, or any private hospital, the right to refuse to participate in any medical operation to sterilize a person; protects any individual or hospital exercising this right against any coercion, disciplinary action, or loss of benefits or privileges; provides injunctive and monetary damage remedies to any individual or hospital injured while exercising this right.

Enacts: 69-5222 through 69-5224

248	SB 743	Graham	3/21/74	3/21/74
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Amends the energy-conserving speed limit law passed this session by providing a \$4 fee for the justice of the peace convicting a person of violating the statute.

Amends: 32-2144.6

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249	HB 233	Bardanouve	7/1/74	3/21/74
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Transfers administration of snowmobile registration from Department of Revenue to Registrar of Motor Vehicles; requires annual assessment of full and true value of a snowmobile by county assessor, and payment of personal property tax on the snowmobile, before the county treasurer may issue registration decal; and provides that all snowmobile registration expire December 31 of each year and must be renewed by the following January 31.

Amends: 53-1013, 53-1025, 53-1026

250	HB 460	Cox	3/21/74	3/21/74
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Increases the county general fund share of the coal license tax on coal mined in the county from 1 cent to 3 cents per ton.

Amends: 84-1309.1

251	HB 466	Marks	7/1/74	3/21/74
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Deletes provisions fixing tuition rates for elementary and high schools; directs trustees of each elementary and high school district collecting tuition to determine the rate of tuition each year by an actual current expenditures formula.

Amends: 75-6317, 75-7201, 75-7202

252	HB 586	Bardanouve	3/21/74	3/21/74
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Increases the fire protection and suppression fees paid by owners of classified forest land, from 10 cents per acre to 16 cents per acre, maximum, on Class I land, and from 3 cents per acre to 5 cents per acre, maximum, on Class II land.

Amends: 28-109

253	HB 600	Fasbender	7/1/74	3/21/74
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Codifies and generally revises the laws relating to the Department of Natural Resources and Conservation.

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Amends: 28-103 through 28-106, 28-109 through 28-114, 28-116, 28-119, 28-121 through 28-125, 28-127, 28-129, 28-130*, 28-131*, 28-133*, 28-134*, 28-301, 28-303, 28-404 through 28-408, 28-410 through 28-412, 46-2301, 46-2302, 46-2307 through 46-2318, 46-2322, 46-2323, 46-2325, 46-2331, 46-2332, 60-124*, 60-126 through 60-131, 60-131.1 through 60-136.6, 60-131.8, 60-131.10 through 60-131.12, 60-132 through 60-136, 60-140 through 60-145, 60-148, 60-801 through 60-805, 76-103 through 76-107, 76-111, 76-114, 76-115, 76-117, 81-1401, 81-1404, 81-1406, 81-1408, 81-1409, 81-1411 through 81-1413, 81-1415, 81-1501 through 81-1504*, 81-1506*, 81-2009*, 81-2018, 82A-1501, 82A-1508, 82A-1509, 89-101.1, 89-101.2, 89-102, 89-103.2, 89-104, 89-105, 89-106, 89-111, 89-113, 89-114, 89-115, 89-116.1, 89-117 through 89-120, 89-124, 89-125, 89-127, 89-132.1, 89-140, 89-310, 89-312.1, 89-314, 89-317, 89-318, 89-320, 89-322, 89-324 through 89-328, 89-330, 89-401, 89-402, 89-806, 89-906, 89-907, 89-908, 89-909, 89-912, 89-914 through 89-916, 89-1201, 89-1215, 89-1905, 89-2911, 89-2914 through 89-2918, 89-2926, 89-2927, 89-2928.1, 89-2930 through 89-2934, 89-2934.1, 89-2936, 89-3043, 89-3405 through 89-3408, 89-3410, 89-3415, 89-3421, 89-3422, 89-3438, 89-3449, 89-3502 through 89-3509, 89-3511, 89-3512, 89-3514, 89-3515, 93-9908, 93-9911

Enacts: 28-101.1, 28-801, 82A-1501.1, 89-102.1

Repeals: 28-101, 28-102, 28-107, 28-126, 28-132, 28-409, 46-2303 through 46-2306, 46-2319, 46-2328, 60-125, 60-137, 60-138, 60-146, 60-147, 81-1401.1, 81-1401.2, 81-1403, 81-1505, 82-3001 through 82-3003, 82A-1502 through 82A-1506, 82A-1507.1, 82A-1510, 82A-1511, 82A-1512, 89-103, 89-103.1, 89-103.3, 89-103.4, 89-103.5, 89-103.6, 89-103.8, 89-107, 89-108, 89-126, 89-129 through 89-139, 89-311, 89-827, 89-828

254	HB 628	Bradley	7/1/74	3/21/74
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Enacts "Montana Natural Areas Act of 1974"; defines natural areas and declares that management of some state lands as natural areas serves educational purposes; provides procedures for designation of state lands as natural areas and for acquisition of other lands to be designated natural areas; directs Board of Land Commissioners to promulgate rules for the protection of natural areas within its jurisdiction;

* Also renumbers

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protects designated natural areas from condemnation for other public purpose, or adverse development; and allows Governor to appoint natural areas advisory council of prescribed membership and duties.

Enacts: 81-2701 through 81-2713

255 HB 634 Halvorson 7/1/74 3/21/74

Defines open range, high hazard area, low hazard area, and livestock for classification purposes; requires the Department of Highways to classify by December 31, 1975 the open range areas through which the primary highway system runs; prescribes a procedure for such classification; requires the Department to promptly erect a fence in every high hazard area; and provides that fenced open range may be seeded by the department with grass which may be cropped for hay and the department may lease such lands or sell the hay to qualified persons.

Amends: 32-2412, 32-2426, 32-2427

Enacts: 32-2425.1, 32-2428, 32-2429

256 HB 670 Gerke 3/21/74 3/21/74

Exempts the chief deputy and executive secretary of elected officials, employees of the legislative branch, employees of the judicial branch, professional administrative personnel with individual contracts under the authority of the Board of Regents of Higher Education, and the personal staff of elected officials of the executive branch from the personnel classification plan to be developed by the Department of Administration and from the jurisdiction of the Board of Personnel Appeals.

Amends: 59-904

257 HB 681 Gerke 3/21/74 3/21/74

Revises qualifications to vote on formation or operation of county water and sewer district, extending franchise to owners and lessees of real property within the district provided they are registered to vote in one of the United States, and to all residents of the district; requires at least a 40% voter turnout

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for an election to establish a district; allows all persons authorized to vote on county water and sewer district matters to serve as district directors and to sign petitions for the nomination of district officers.

Amends: 16-4505 through 16-4508, 16-4520

258	HB 682	Greely	7/1/74	3/21/74
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Clarifies the offense of criminal sale of dangerous drugs by including bartering, exchanging, giving away, and offering to sell, barter, exchange or give away in the definition of the offense; exempts authorized practitioners and their agents from this section.

Amends: 54-132

259	HB 692	Gerke	7/1/74	3/21/74
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Deletes the requirement that proposed public housing projects or additions to existing housing projects be approved by popular election.

Amends: 35-109, 35-129

260	HB 732	Lien	7/1/74	3/21/74
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Directs Board of Oil and Gas Conservation to adopt regulations requiring reclamation of land disturbed by exploration for or extraction of oil or gas by November 1, 1974; requires persons conducting seismic explorations with explosives to file copy of notice thereof with Board of Oil and Gas Conservation; directs Department of Natural Resources and Conservation to maintain list of abandoned oil or gas wells, seismographic shot holes, etc.; requires persons having abandoned such holes to reclaim the land disturbed thereby, when these persons apply for new drilling permits; and authorizes the department to reclaim land disturbed by such abandoned wells, if the responsible person cannot be identified or located, with funds from the resource indemnity trust fund, when such funds are available.

Amends: 60-127, 60-128

Enacts: 60-149

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261	HB 765	Schepens	7/1/74	3/21/74
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Eliminates the provisions prohibiting appropriations in county budgets from exceeding certain percentage restriction of the amount appropriated in the previous year's budget.

Amends: 16-1904

262	HB 879	Kendall	7/1/74	3/21/74
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Requires the imposition of the death sentence on anyone convicted of deliberate homicide when the victim is a peace officer performing his duty, regardless of mitigating circumstances.

Amends: 94-5-105

263	HB 890	Driscoll	7/1/74	3/21/74
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Creates a gubernatorial campaign fund by allowing taxpayers who are natural persons to designate \$1 of their tax liability to be paid to that fund; provides for the distribution of the fund in equal amounts to each political party 5 months before a general election for Governor; requires each party to use moneys from the fund only for legitimate campaign expenses of the gubernatorial candidate and to keep records of expenditures; and provides penalty for violations; act expires July 1, 1977.

Enacts: 23-4901 through 23-4906

264	HB 910	Haines	7/1/74	3/21/74
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Permits public employees to enter into deferred compensation plans; authorizes Department of Administration or designated local official to coordinate deferred compensation programs; provides that deferred compensation shall not operate to reduce retirement or pension payments; exempts public authorities from liability incurred by any deferred compensation plan.

Enacts: 68-2701 through 68-2709

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265 HB 949 Roberts 7/1/74 3/21/74

Amends the Montana Water Use Act to permit the Department of Fish and Game to represent the public for purposes of establishing prior and existing public recreational uses in proceedings to adjudicate existing rights in streams.

Amends: 89-872

266 HB 1003 Holmes 7/1/74 3/21/74

Provides counseling services for women undergoing abortions; directs Division of Maternal and Child Health Care to develop criteria for the approval of counselors for abortion situations, to approve qualified counselors, and to distribute lists of approved counselors; requires medical facilities and physicians to inform patients and potential patients considering abortions of the availability of such counseling services; and sets the standard of minimum counseling services.

Enacts: 69-6901 through 69-6908

267 HB 1005 Holmes 1/1/74 3/21/74

Updates the Coal Mining Code to meet the requirements of federal underground coal mine health and safety legislation; includes surface mining of coal in addition to underground mining; authorizes Division of Workmen's Compensation to adopt safety rules and to enforce them with inspections, orders, and hearings as necessary.

Amends: 50-401 through 50-405, 50-407, 50-428 through 50-434, 50-468

Enacts: 50-401.1, 50-412.1, 50-434.1, 50-467.1, 50-476 through 50-480, 50-580.1 through 50-480.8, 50-481, 50-482

Repeals: 50-406, 50-410 through 50-427, 50-435 through 50-465, 50-467, 50-469 through 50-475, 50-501 through 50-509, 50-511 through 50-531

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268 HB 1010 Bardanouve 7/1/74 3/21/74

Incorporates geothermal energy development into the Utility Siting Act; directs Board of Natural Resources and Conservation to adopt rules governing geothermal exploration and experimentation.

Amends: 70-803, 70-806, 70-807, 70-820

269 HB 1040 McKittrick 3/21/74 3/21/74

Adds dependent parents, brothers and sisters to the definition of beneficiary under the Workmen's Compensation Act; provides in cases of injuries causing death for compensation to be paid to dependent parents, brothers and sisters; provides in cases of injuries causing death for a \$3,000 payment to be paid to the decedent's surviving parents if no beneficiary exists; and provides for equitable distribution of compensation benefits among dependent parents, brothers and sisters.

Amends: 92-413, 92-704.1, 92-708

270 SB 642 Siderius 3/22/74 3/22/74

Deletes the requirement that workmen's compensation benefits paid for injury causing death be reduced by the amount of the benefits paid by the social security administration; provides that the act applies prospectively only; provides that those persons whose benefits were reduced by the prior law shall be compensated in the amount of the offset out of a special fund.

Amends: 92-704.1

Enacts: 92-704.2

271 HB 924 Halvorson 3/21/74 3/21/74

Amends the Floodway Management and Regulation Act to provide a 2-zone scheme of regulation, with stricter regulations applied in that portion of the 100-year floodplain which carries the force of the flood and less strict regulations in the remaining parts of the floodplain; mandates the Department of Natural Resources and Conservation to consult in various ways

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with local governments affected by floodplain regulation; allows a local government 6 months, except when a shorter period is required to meet federal standards, to adopt necessary land-use regulations within designated floodplains before the minimum state standards of the department become operative on such land; and gives more enforcement authority to a local government which adopts approved land-use regulations.

Amends: 89-3502 through 89-3511, 89-3514

272	HB 1099	Lee	7/1/74	3/22/74
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Deletes the requirement that workmen's compensation benefits for injuries causing death, or permanent total disability be reduced by the amount of federal periodic payments paid to a claimant.

Amends: 92-702.1, 92-704.1

273	SB 503	Drake	7/1/74	3/25/74
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Provides a \$5 fine for persons convicted of riding motorcycles without wearing protective headgear; and provides a penalty for persons convicted of operating a motorcycle not equipped with a noise suppression device in good working order.

Amends: 32-21-105.1

274	SB 525	Hall	7/1/74	3/25/74
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Empowers a merchant to make a temporary private arrest of a suspected shoplifter, for up to 30 minutes or until a peace officer arrives; defines shoplifting and concealment; provides that a merchant acting within the authority of this statute and without malice is not liable in any civil action for damages by the person detained; provides that concealment of merchandise does not constitute proof of the offense of theft; gives police courts concurrent jurisdiction with justice courts over shoplifting cases involving under \$150 worth of goods; and allows a city or town council to enact ordinances against shoplifting.

Amends: 11-1602, 95-611

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Enacts: 11-990, 95-611.1, 95-611.2

275	SB 537	Drake	7/1/74	3/25/74
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Provides that any law requiring a local government unit to perform an activity or provide a service or facility which will require the direct expenditure of additional funds must provide a means to finance the activity; provides applicability only to laws enacted after July 1, 1974; and exempts laws in which the required expenditure of funds is incidental to the main purpose of the law.

Enacts: 43-517, 43-518

276	SB 579	Zody	3/25/74	3/25/74
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Authorizes the board of county commissioners in each county to constitute one additional justice court in their respective counties as they deem necessary; provides one justice court shall be located at the county seat and the other may be located where the board of county commissioners deems necessary.

Amends: 16-2413, 93-401, 93-402

277	SB 599	Turnage	7/1/74	3/25/74
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Authorizes the state Tax Appeal Board to determine cases on the record of the hearing before the county tax appeal board with certain additional requirements; allows the state Tax Appeal Board to affirm, reverse or modify any appealable decision. Prohibits the state Tax Appeal Board from amending, repealing or ignoring any administrative rule or regulation unless it is arbitrary and caprecious.

Amends: 84-709, 84-709.1

278	SB 619	Manning	7/1/74	3/25/74
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Authorizes the Department of Highways to waive the provisions requiring that public contractors working beyond the contract time are not allowed to bid on any public contract project or to submit additional bids when their application will result in a reduction

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in the full benefits of the Federal Highway Act of 1921, as amended.

Amends: 32-4102

279	SB 678	Flynn	7/1/74	3/25/74
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Ends county financial participation in federal medical assistance programs; provides that except for medical assistance paid prior to July 1, 1974 all moneys recovered from the estates of deceased beneficiaries shall be prorated to the federal government and the state rather than the county; and lowers the maximum county levy from 17 to 13-1/2 mills which may be imposed for the care and maintenance of poor and indigent persons.

Amends: 71-106, 71-1524
Repeals: 71-1519, 71-1522

280	SB 681	Darrow	7/1/74	3/25/74
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Enacts the "Strip Mine Siting Act"; creates a siting review procedure in the Department of State Lands for new coal strip mines; requires a site location permit or strip mining permit before commencing site preparation for strip mining; sets out terms and criteria for issuance of a site location permit; requires surety bond, reclamation plan, and application fees; and provides for enforcement actions and sanctions.

Enacts: 50-1601 through 60-1617

281	SB 684	Bertsche	7/1/74	3/25/74
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Generally revises the laws relating to hard rock mining; requires map or sketch of area to be explored with application for exploration permit; requires surety bond for reclamation after exploration work; allows postponement of reclamation if exploration is followed by development; requires department approval of the reclamation plan before issuance of a development permit; requires performance bond of equivalent security to assure reclamation after development of mine, in penal sum of not less than \$200 or more than \$2,500 per acre of disturbed land, but in no

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case less than the state's cost to complete such reclamation; requires annual report and map of work from persons enjoying small-miner exemption; revises penalties for violations to be civil penalties recoverable in suit by the Attorney General; conforms hearing and appeal provisions to Montana Administrative Procedure Act; and provides for notice of non-compliance and suspension of permits by the department.

Amends: 50-1203, 50-1204, 50-1207 through 50-1211, 50-1213, 50-1216, 50-1220, 50-1222
 Enacts: 50-1225, 50-1226
 Repeals: 50-1217, 50-1218

282 SB 693 Bollinger 7/1/74 3/25/74

Requires the Governor to appoint a Budget Director; removes the State Controller as ex officio Budget Director; prescribes the duties of the Budget Director; requires state agencies to submit their budget requests before August 15, or for certain agencies, September 1, in the even-numbered year preceding the convening of the legislature; provides legislative branch requests shall be included in the budget submitted by the Governor without changes; allows the Governor-elect to incorporate a separate section in the budget consisting of comments, estimates and recommendations and imposes a duty upon the Governor-elect when recommending changes to show a balance between proposed disbursements and anticipated revenues, and requires the Governor to present to the legislature a consolidated budget with detailed analysis of all segments of the budget.

Amends: 79-1012 through 79-1018

283 SB 697 Gilfeather 7/1/74 3/25/74

Describes and prohibits discriminatory practices in employment, public accommodations, education and real property transactions on account of sex, race, religion, color, age, physical or mental handicap or national origin; creates a commission for human rights; provides procedures for filing complaints of discrimination and for their disposition; provides a penalty.

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Enacts: 64-305 through 64-312, 82A-1015

Repeals: 64-302, 64-303

284 SB 715 McNamer 3/25/74 3/25/74

Enacts the "Montana Abortion Control Act"; requires the informed consent, as defined, of the woman upon whom the abortion will be performed; requires the consent of specific relatives in certain instances; extends the meaning of criminal homicide to include purposely knowingly, or negligently causing the death of a premature infant born alive, if viable; provides for custody of infant surviving an abortion; makes scientific experimentation upon such infants a felony; prohibits abortion except under the following instances: (1) it is performed by a licensed physician; (2) after the first trimester it is performed in a licensed hospital; (3) after viability of the fetus it is performed only when necessary to preserve the life or health of the mother; forbids the advertising or solicitation of abortions; establishes reporting procedures; and provides that private health care facilities and any person may refuse to participate in an abortion.

Enacts: 94-5-613 through 94-5-624

285 SB 718 Lynch 3/25/74 3/25/74

Entitles any association or corporation conducting a picnic, convention, fair, civic or community enterprise, or sporting event to sell beer at such an event provided the Liquor Division of the Department of Revenue has issued a permit.

Amends: 4-332

286 SB 741 Lynch 3/25/74 3/25/74

Enacts "The Property Taxpayers Information Act of 1974"; requires the Department of Revenue to certify to each taxing authority the taxable value within the authority's jurisdiction; requires the department to estimate the total assessed value of all property in the taxing authority's jurisdiction and to certify a millage rate which will keep the total revenue collected from ad valorem taxes the same,

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with certain adjustments, on the prior year; requires taxing authorities to advertise any intention of increasing ad valorem taxes; requires any millage in excess of the department's certified millage to be approved by a resolution or ordinance of the governing board of the taxing authority after advertising and holding a public hearing; allows an increase in millage without a resolution or ordinance when the cause of the increase is a reduction of the assessment roll resulting from actions by the state or county board of tax appeals.

Enacts: 84-7201 through 84-7208

287	HB 193	Fagg	7/1/74	3/25/74
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Authorizes cities to self-liquidate the costs of urban renewal projects; provides for bond liquidation fund consisting of city property taxes on the appreciation of property in the urban renewal area after the effective date of the urban renewal plan.

Amends: 11-3910, 84-4701.3

Enacts: 11-3921 through 11-3925

288	HB 305	Brand	7/1/74	3/25/74
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Provides for the payment of an honorarium of \$18.75 for each month of military service in the Vietnam area to each resident of Montana in military service in the Vietnam area between January 1, 1961 and March 31, 1973; defines Vietnam area as the countries of Vietnam, Laos, Cambodia, and Thailand and the waters surrounding them; provides for \$750 payments to residents of Montana killed, missing in action in the Vietnam area, or a prisoner of war; prescribes the procedure application; and vests administering authority in the Board of Examiners.

Enacts: 77-2301 through 77-2311

289	HB 494	Fagg	1/1/75	3/25/74
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Requires safety inspection of every registered vehicle under 8000 pounds gross vehicle weight, with certain exceptions and an exemption for antique automobiles, within 4 years of January 1, 1975 and no

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less than once every 4 years thereafter; provides for licensing and supervision of eligible inspection stations; sets \$9 fee for certificate of inspection, to be paid by vehicle owner to inspection station; requires inspection station to pay \$1.25 of each fee into state highway fund; authorizes Department of Justice to revoke registration of any vehicle lacking certificate of inspection; prohibits counterfeiting certificates, advertising inspection services without license or operation of vehicle or inspection station in violation of act and punishes such actions as misdemeanors.

Enacts: 53-1101 through 53-1115

290	HB 507	Lynch	3/25/74	3/25/74
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Legalizes sports pools, as defined by the act; provides for maximum price of \$1 and maximum prize of \$100; requires 100% payout; requires that all changes be sold on premises, that gambling be on a cash basis, that no minors be allowed to gamble; declares cheating illegal; obliges peace officers to enforce act; provides penalties.

Enacts: 62-727 through 62-736

291	HB 624	Shelden	7/1/74	3/25/74
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Provides that members of county, city, or city-county planning boards may be reimbursed from local funds for transportation and actual expenses up to but not exceeding state transportation reimbursements and allowable expenses incurred in attending planning board meetings.

Amends: 11-3819

292	HB 698	Bardanoue	7/1/74	3/25/74
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Revises the rules for the dissemination of proceedings of the legislature; defines one complete set of the proceedings as one copy of each item of the proceedings of a session, regular or special, of the legislature; provides that the joint legislative rules shall set fees for sets of proceedings of the legislature; provides for the sale of copies of bills,

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resolutions, etc., by the Legislative Council at a price commensurate with the length of the document and set by the joint rules; provides for the sale of status sheets by the copy at a price set by the joint rules as well as by subscription from the Legislative Council at a price set by the Council; transfers the accountability for all funds collected by the sale of these documents from the office of the Secretary of State to the executive director of the Legislative Council; exempts representatives of general circulation newspapers and the state law library from paying for these documents.

Amends: 43-901 through 43-904

293	HB 703	Lee	3/25/74	3/25/74
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Legalizes certain enumerated card games; provides that no prize in a single game shall exceed \$100; requires rules of play to be posted in licensed card playing establishments; requires card games to be on a cash basis; provides that local governing bodies may require card game licensees of establishments which are also licensed for the sale of any consumable product; provides that local governing bodies may require licenses only in the case of such establishment; provides that local governing bodies may establish regulations for licensed establishments; prohibits gambling by minors and cheating; obliges peace officers to enforce law; provides penalties.

Enacts: 62-701 through 62-714

294	HB 705	Ulmer	3/25/74	3/25/74
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Legalizes raffles and bingo; requires that prizes in bingo games or raffles be tangible personal property whose value is not more than \$100 in the case of bingo games or \$1000 in the case of a raffle; requires bingo cards to cost no more than 50 cents and bingo games to be played only by persons physically present at the place where the game is conducted; requires raffle tickets to be sold for no less than 30 nor more than 90 days; provides that local governing bodies may license the playing of bingo or raffles in establishments which are also licensed by the sale of any consumable product; provides that local governing bodies may require licenses only in

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the case of such establishments; prescribes minimum criteria for eligibility to hold a license; provides that local governing bodies may establish regulations for licensed establishments; prohibits gambling by minors and cheating; obliges peace officers to enforce law; provides penalties.

Enacts: 62-715 through 62-726

295	HB 716	Brand	7/1/74	3/25/74
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Provides that a motor vehicle insurance premium may not be increased during the term of the policy unless there is a change in insurable benefit.

Amends: 53-438

296	HB 749	R. Harper	1/1/75	3/25/74
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Provides for the licensing and regulation of certain proprietary postsecondary educational institutions by the Department of Business Regulation; establishes an advisory council to provide guidance to the department; establishes minimum standards to be met by licenses; prohibits operation of non-exempt institutions without license; provides civil relief to persons damaged by practices in violation of the act; requires certain bonds; provides for collection and disposition of fees; requires preservation of records when institution is discontinued; provides for regulation of contracts between students and institutions; provides for enforcement through criminal penalties of injunctions.

Enacts: 75-9201 through 75-9223

297	HB 789	Tierney	3/25/74	3/25/74
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Enacted the "Montana Trustees' Powers Act"; defines trust, trustee and prudent man; delineates the powers of trustees; provides for judicial supervision.

Enacts: 86-901 through 86-911

Repeals: 86-327, 86-607

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298	HB 814	Kosena	3/25/74	3/25/74
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Requires a board of county commissioners to divide county into 3 districts as compact and equal in area and population as possible after each federal decennial census; requires judicial approval of the re-districting plan; permits the redistricting to be done at any time except when it affects the term of an elected commissioner or within 6 months before a general election; requires a commissioner to reside in the district at least 2 years before becoming a candidate; requires the names of each candidate to be submitted to the entire electorate of the county; provides that the act is not applicable to counties with alternative forms of government; provides that the act is not applicable before January 1, 1975.

Enacts: 16-902.1 through 16-902.5

Repeals: 16-902

299	HB 864	Menahan	7/1/74	3/25/74
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Provides a minimum retirement pension of \$200 per month to firemen retiring prior to July 1, 1974; provides a minimum \$200 per month disability pension to firemen retiring prior to July 1, 1974; provides a minimum pension of \$200 per month to the widows and orphans of deceased active, retired or disabled firemen who died, retired, or became disabled before July 1, 1974.

Amends: 11-1925 through 11-1927

300	HB 866	Yardley	7/1/74	3/25/74
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Permits the Superintendent of Public Instruction to require affidavits, verified statements or sworn testimony in connection with appeals from certain decisions of county superintendents of public instruction or county transportation committees; provides for judicial review of the decision of the state superintendent as provided for in contested cases under the Montana Administrative Procedure Act.

Amends: 75-5709

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301	HB 867	McKittrick	7/1/74	3/25/74
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Providing that for cities or towns of the first or second class, whenever, as a result of disaster resulting in death or pensioned disability of 10% of the active work force of a fire department, the fund of the fire department relief association, after receiving all funds and payments provided for by law, does not show a growth of at least 1 mill, the State Auditor shall pay into the fund, from the license fees collected on insurance risks, enough additional money to show a growth of 1 mill.

Amends: 11-1919

302	HB 909	Fasbender	7/1/74	3/25/74
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Enacts portions of the Uniform Alcoholism and Intoxication Act; provides for implementation by the Department of Health and Environmental Sciences; provides for the commitment and treatment of alcoholics; preserves confidentiality of records; requires application of Administrative Procedure Act; provides for funding through increasing the tax on alcoholic beverages; requires the department to report to the legislature annually.

Amends: 4-201, 4-240, 4-324, 11-927

Enacts: 69-6211 through 69-6224

Repeals: 4-164, 69-6202

303	HB 933	Bell	7/1/74	3/25/74
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Requires health care professionals treating the victim of a gunshot wound or stabbing to make a report to a law enforcement official by the fastest means possible; requires a written report including the name and address of the victim to be sent by regular mail within 24 hours after initial contact with the victim; exempts the health care professional from any civil or criminal liability unless he acts in bad faith or with malicious purpose.

Enacts: 66-1050, 66-1051

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304	HB 955	Norman	7/1/74	3/25/74
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Requires the governing body of a local government entity to hold a hearing prior to the issuance of industrial development bonds; provides for notice of the hearing; requires the governing body not to approve the bonds unless it appears after the hearing that issuance of the bonds is in the public interest.

Amends: 11-4103

305	HB 1011	Cox	3/25/74	3/25/74
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Enacts the "Legislative Intern Act of 1974"; provides for the selection, term of service and qualifications of legislative interns; provides that legislative interns are subject to guidelines established by the Legislative Council; makes interns directly responsible to the legislator to whom he is assigned; provides that the legislature is not obligated to finance the program.

Enacts: 43-720 through 43-731

306	HB 1034	Barrett	7/1/74	3/25/74
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Allows a county superintendent to appoint a legal advisor to assist him in preparing findings of fact and conclusions of law in cases relating to the dismissal of teachers under contract or the termination of tenure teachers; and allows either the teacher or the trustees to appeal the decision to the Superintendent of Public Instruction.

Amends: 75-5811, 75-6104

307	HB 1039	Baucus	7/1/74	3/25/74
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Establishes a Montana work-study program to be administered by Board of Regents of Higher Education; requires allocation of at least 70% of funds to provide jobs for students on basis of demonstrated financial need with balance of funds available to provide jobs on basis other than need; provides that funds allocated through this program supplement rather than replace other federal and state student financial assistance funds; prescribes eligibility

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requirements for employers; forbids discrimination.

Enacts: 75-9101 through 75-9111

308 HB 1068 Edland 7/1/74 3/25/74

Raises the pharmacy license fee from \$20 to \$40 when there is a default in payment of more than 30 days.

Amends: 66-1508

309 SB 42 James 7/1/74 3/26/74

Removes the requirement that counties supplement insufficient state appropriations for aid to dependent children; provides that children of unemployed parents are eligible for welfare benefits; repeals the requirement that the provisions of the state aid to dependent children law will be effective only in those years in which Montana receives in excess of \$400,000 in federal funds for the specific purpose of funding that law; provides an effective date of July 1, 1975.

Amends: 71-501, 71-508

Repeals: 71-508.1

310 SB 476 Deschamps 7/1/74 3/26/74

Generally revises and updates laws relating to the Department of Livestock.

Amends: 3-2301, 3-2302, 3-2308, 3-2309, 3-2310, 3-2313, 3-2314, 3-2404, 3-2488 through 3-2493, 3-2495 through 3-2499, 3-24-100 through 3-24-106, 3-24-108, 3-24-110, 3-24-111, 3-24-113, 3-24-114 through 3-24-116, 3-24-119, 3-24-127 through 3-24-129, 3-24-136, 3-24-137, 3-2501 through 3-2505, 3-2701, 3-2702, 3-2704, 16-1175, 46-104, 46-105, 46-202 through 46-204, 46-206 through 46-209, 46-211, 46-213, 46-214, 46-216 through 46-222, 46-224, 46-226 through 46-236, 46-239, 46-240, 46-243, 46-301, 46-302, 46-501, 46-503, 46-506, 46-601, 46-603 through 46-607, 46-609, 46-701, 46-703, 46-704, 46-705, 46-707, 46-709, 46-801*,

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46-802, 46-803, 46-804, 46-806, 46-809 through 46-813, 46-902, 46-903, 46-904, 46-906 through 46-918, 46-918.1, 46-920, 46-1001 through 46-1006, 46-1008, 46-1011, 46-1012, 46-1101.1, 46-1101.2, 46-1107, 46-1114, 46-1410, 46-1701, 46-1801, 46-1804, 46-1903, 46-1904, 46-1907 through 46-1909, 46-1912, 46-1914, 46-2004, 46-2007, 46-2401 through 46-2409, 46-2411, 46-2412, 46-2515, 46-2602 through 46-2610, 46-2703, 46-2705, 46-2901 through 46-2907, 52-319 through 52-323, 67-205, 82A-1303, 94-35-172, 94-35-205
Enacts: 46-103.1, 46-209.1, 46-801.1, 46-801.3, 46-801.4, 46-2903.1, 46-2903.2, 82A-1301.1
Repeals: 3-24-133, 27-106, 46-101 through 46-103, 46-107, 46-201, 46-205, 46-401 through 46-415, 46-610, 46-805, 46-807, 46-1702, 46-2908, 82-2301, 82A-1302, 82A-1304, 82A-1305

311 HB 971 Roberts 7/1/74 3/26/74

Requires the Department of Health and Environmental Sciences to establish and administer an emergency medical services program; authorizes the department to accept, receive and expend any funds available for the program; requires the Department of Health and Environmental Sciences, the Highway Safety Division of the Department of Intergovernmental Relations and other interested departments to develop in writing a plan of cooperation to preclude duplication of efforts.

Enacts: 69-7001, 69-7002

312 HB 999 Marbut 7/1/74 3/26/74

Expands the enumeration of conditions which permit a minor to give valid consent to the provisions of medical care; defines the circumstances under which a physician or other health professional treating a consenting minor may inform the parent, custodian, guardian or spouse of the minor; affirms the financial responsibility of a consenting minor for debts incurred for medical care; provides for waiver of consent requirement in cases of emergency or mental or communicative incapacity; excludes abortion or sterilization operations; preserves physician's discretion to follow his own best judgment; preserves physician's liability of negligence.

Amends: 69-6101 through 69-6105

Enacts: 69-6105.1

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313	HB 1032	McKittrick	7/1/74	3/26/74
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Recognizes the collective bargaining rights of the professional educational employees of the university system and community colleges; places them under the Public Employees' Bargaining Act; adds the Commissioner of Higher Education or his authorized representative as a representative of the public employer in collective bargaining.

Amends: 59-1609, 59-1610
Enacts: 59-1608.1, 59-1608.2

314	HB 1053	Fagg	7/1/74	3/26/74
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Creates a board of sanitarians; requires sanitarians to be licensed; prescribes the appointment of members of the board and their terms and compensation; provides for the regulation and licensing of sanitarians; repeals the laws relating to sanitarians and the sanitarians advisory council; confirms the licenses of sanitarians licensed under previous law; provides for licensing of persons having practiced as sanitarians before effective date of this act.

Enacts: 69-3410 through 69-3423
Repeals: 69-3401 through 69-3409

315	SB 461	Siderius	7/1/74	3/28/74
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Recodifies and generally updates the laws relating to the Department of Public Service Regulation.

Amends: 8-101, 8-101.2, 8-111, 8-126, 11-3332, 70-111, 70-626, 72-101, 72-103, 72-107, 72-124*, 72-136, 72-406, 72-407, 72-409, 72-620, 89-1712
Enacts: 8-201.1, 82A-1704, 82A-1705, 82A-1706
Repeals: 8-115, 8-117, 8-120, 19-117, 19-118, 70-102, 70-118, 72-102, 72-104, 72-111, 72-141, 72-631, 72-632, 72-633, 72-634, 82A-1703

316	SB 473	Hazelbaker (by request)	7/1/74	3/28/74
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Codifies and generally revises the laws relating to the Department of Highways.

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Amends: 11-1023, 32-317 through 32-321*, 32-1018 through 32-1022*, 32-1124 through 32-1126, 32-1128, 32-1130, 32-1502, 32-1627, 32-1628, 32-1632 through 32-1637, 32-1638*, 32-1639 through 32-1641, 32-2133, 32-2134, 32-2134.3, 32-2144 through 32-2147, 32-2149, 32-2157, 32-2158, 32-2163, 32-2174, 32-2192, 32-2195, 32-21-102, 32-21-149, 32-2202, 32-2203, 32-2301, 32-2401, 32-2402*, 32-2404, 32-2406 through 32-2415, 32-2419 through 32-2427, 32-2601, 32-2603 through 32-2611, 32-2801, 32-2803, 32-2814, 32-2815, 32-2901, 32-3201, 32-3204, 32-3205, 32-3302.1, 32-3303, 32-3308, 32-3309, 32-3310, 32-3313, 32-3314, 32-3315, 32-3317, 32-3401, 32-3402, 32-3403, 32-3707*, 32-3805, 32-3902, 32-3904 through 32-3916, 32-3923 through 32-3931, 32-4016, 32-4102, 32-4204, 32-4301, 32-4302, 32-4308.1, 32-4518 through 32-4522, 32-4717 through 32-4724, 53-118.6 through 53-118.10*, 53-514 through 53-518, 53-519, 53-520, 53-521, 53-620*, 53-624*, 53-626*, 53-627*, 53-632*, 53-633*, 53-638.1*, 53-640, 53-642, 53-702, 53-704, 53-705, 53-707, 53-708, 53-712, 53-713, 53-716 through 53-719, 53-721, 53-722, 53-724, 82A-701, 72A-704, 89-3310, 93-9913

Enacts: 32-1123.1 through 32-1123.12, 32-1127.1 through 32-1127.10, 32-2504, 82A-701.1

Repeals: 32-101, 32-301, 32-315, 32-414, 32-417, 32-508, 32-527, 32-712, 32-716, 32-1001, 32-1117, 32-1118, 32-1120 through 32-1123, 32-1127, 32-1129, 32-1401, 32-1619, 32-2403, 32-2405, 32-2417, 32-2418, 32-2501 through 32-2503, 32-2701 through 32-2716, 32-3501 through 32-3509, 32-3919, 32-3921, 32-3922, 32-4402, 53-703, 82A-702, 82A-703, 82A-705, 82A-706, 82A-707, 82A-708

317	SB 553	Lynch	7/1/74	3/28/74
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Provides for the regulation and licensing of the practice of acupuncture by the Board of Medical Examiners; provides for the eligibility and examination of license applicants; prohibits unauthorized practice of acupuncture.

Enacts: 66-3401 through 66-3417

318	SB 562	Sorensen	7/1/74	3/28/74
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Changes the allowable increase in expenditure for interstate highway construction in a highway financial district in a given year from 100% to 300% over

* Also rennumbers

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Summary of Provisions

the previous annual allocation.

Amends: 32-2610

319	SB 587	Boylan	7/1/74	3/28/74
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Limits the fee to be paid by municipally operated utilities for the support of the consumer counsel to .06% of gross operating revenue.

Amends: 70-709

320	SB 602	McGowan	3-28-74	3-28-74
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Creates a legislative advisory committee on the state Bureau of Mines and Geology; provides for the appointment of members from the committees on natural resources of the Senate and House of Representatives; directs committee to assist in repairing revision of laws relating to the Bureau of Mines and Geology.

321	SB 623	Thiessen	7/1/74	3/28/74
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Defines the practice of massage; authorizes the Board of Masseurs to suspend licenses for failure to renew; allows a 30 day grace period for license renewal and requires a \$10 late renewal fee; increases the per diem for board members to \$25; removes the automatic exemption for certain organizations and requires all persons and organizations not specifically exempt to apply for exemption to be granted at the board's discretion.

Amends: 66-2902, 66-2904 through 66-2906, 66-2908, 66-2909, 66-2910, 66-2914

322	SB 670	Devine	7/1/74	3/28/74
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Protects the franchises of beer wholesalers from coercion or arbitrary cancellation by brewers; imposes certain provisions on every franchise-type contract between a brewer and a beer wholesaler; recognizes wholesaler's right to sell or transfer his business; requires filing copy of every agreement, contract or franchise between brewer and wholesaler with Department of Revenue.

Enacts: 4-317.2 through 4-317.8

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323	SB 679	Moore	7/1/74	3/28/74
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Requires that credit life insurance and credit disability insurance be equal to the amount of indebtedness in loans of \$15,000 or less; and not exceed the amount of indebtedness when the loan is greater than \$15,000

Amends: 40-4203, 40-4206

324	HB 360	Marbut	7/1/74	3/28/74
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Limits the liability of parents for care and maintenance of a long-term resident of a facility of the Department of Institutions to the costs of caring for a normal child at home, and does not impose this liability after the child is 18 years old, when the child is a long-term resident of a facility of the Department of Institutions.

Enacts: 80-1605, 80-1606

325	HB 412	Marbut	1/1/75	3/28/74
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Enacts the "Montana Developmental Disabilities Services and Facilities Act of 1974"; requires the state of Montana to initiate a preventive developmental disabilities program; authorizes services and facilities for the developmentally disabled; establishes a state Council for Developmental Disabilities Services and Facilities; establishes developmental disability regions and regional councils; requires counties to appropriate the equivalent of \$.50 per capita of the population for the support of public developmental disability services and facilities; authorizes counties to levy a 1 mill property tax for this support; permits counties to reduce support when state funds are less than those available from counties; specifically includes Indians living on federal reservations within the coverage of the act; forbids discrimination.

Enacts: 80-2611 through 80-2625

326	HB 582	Bardanoue	7/1/74	3/28/74
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Codifies and generally revises the laws relating to the Department of Administration.

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Amends: 6-106, 11-2319, 16-2031, 16-2036, 31-201, 31-205, 31-206, 31-207, 31-211, 31-222 through 31-224, 31-228, 31-230, 37-107, 68-1401, 68-1404*, 68-1407, 68-1408, 68-1414, 75-6201, 75-6202, 78-1101, 78-1202, 78-1301, 79-305, 79-413, 79-603, 79-1001, 79-1006*, 79-1007*, 79-1011*, 79-1101 through 79-1103, 79-1105, 79-2409, 79-2410, 79-2411 through 79-2415, 82-109, 82-109.1 through 82-109.4, 82-110, 82-111, 82-112, 82-1105, 82-1131.1, 82-1136, 82-1139, 82-1902 through 82-1906, 82-1908, 82-1909, 82-1910*, 82-1911, 82-1913 through 82-1923, 82-2002, 82-3306, 82-3314 through 82-3316, 82-3318, 82-3321, 82-3325, 82-3329, 82-3331, 82A-204, 82A-206, 82A-207, 82A-209, 82A-210, 82A-212, 93-1109*

Enacts: 82-108.1, 82-1901.1, 82-1915.1, 82A-201.1, 82A-217 through 82A-221

Repeals: 25-504, 31-202, 31-203, 60-301 through 60-306, 68-1403, 75-6203, 79-2401 through 79-2408, 81-1009 through 81-1014, 82-106 through 82-108, 82-602, 82-902, 82-1106, 82-1901 82-3301 through 82-3305, 82-3322 through 82-3324, 82-3327, 82-3328, 82A-202, 82A-203, 82A-205, 82A-208, 82A-211, 82A-213, 93-1108

327 HB 777 Forsgren 7/1/74 3/28/74

Provides that commissioners under the commissioner-manager form of municipal government are prohibited from holding any partisan political office of employment, but may hold public employment not partisan in its nature; deletes the requirement that commissioners must own real estate of an assessed value of at least \$1000 situated in the municipality.

Amends: 11-3214

328 HB 797 Hall 7/1/74 3/28/74

Generally revises the laws relating to abused, neglected and dependent children or youth.

Enacts: 10-1300 through 10-1302, 10-1308 through 10-1315, 10-1322

Renumbers: 10-901 through 10-905, 10-520 through 10-525

Repeals: 10-501 through 10-519

* Also renumbers

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329	HB 798	Hall	7/1/74	3/28/74
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Codifies and generally revises the laws relating to juvenile law violators and juvenile courts as the Montana Youth Court Act; creates a youth court in each judicial district as a distinct sitting of the district court; provides for the jurisdiction of the youth court; provides for the qualifications, appointment, powers and duties of probation officers; sets forth the rights of juveniles in proceedings under the act.

Amends: 10-627*, 10-615*, 10-628*, 10-1101*, 10-1102*, 10-1104*, 10-1105*, 10-1106*, 10-1107*, 10-1108*, 10-1109*, 94-2-109
 Enacts: 10-1201 through 10-1236, 10-1241
 Renumbers: 10-631, 10-1103, 10-1110, 10-1111
 Repeals: 10-601, 10-602, 10-603, 10-604.1, 10-605.1, 10-606, 10-607, 10-608, 10-608.1, 10-610, 10-611, 10-611.1, 10-612, 10-613, 10-614, 10-616, 10-617, 10-621, 10-622, 10-623, 10-624, 10-625, 10-626, 10-629, 10-630, 10-633

330	HB 894	Laas	7/1/74	3/28/74
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Provides for direct payment of funds collected pursuant to the gasoline license tax laws to the cities, towns and counties; requires the recipients to inform the Department of Highways of the purposes for which the funds will be spent; requires applicable bidding procedures in all cases where the contract is in excess of \$4000.

Amends: 84-1840

331	HB 932	Bell	7/1/74	3/28/74
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Provides for a \$1200 per year salary increase for county attorneys in counties with populations not in excess of 30,000 people.

Amends: 25-605

* Also renumbers

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332	HB 980	Regan (by request)	3/28/74	3/28/74
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Conforms charitable trusts and corporations which are private foundations within the meaning of the Internal Revenue Code with the requirements of section 508(c) of the Code by restricting certain activities.

Enacts: 86-707, 15-2398

333	HB 1013	Lynch	3/28/74	3/28/74
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Defines a "severely handicapped person"; authorizes the Department of Social and Rehabilitation Services to purchase sheltered employment services and/or work activity services for severely handicapped persons; removes the per person dollar limitation on the amount of money that the department may spend for such services.

Amends: 41-817, 41-818

334	HB 1017	Shelden	7/1/74	3/28/74
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Revises Subdivision and Platting Act of 1973; redefines subdivision as creation of parcels of which one contains less than 20 acres; revises requirements for surveys; permits exemptions for occasional sales and for subdivisions conforming to local planning board master plans; revises summary approval standards for 5 or fewer parcels; does not require park and playground dedication where no parcel is less than 10 acres; permits waiver of dedication or cash donation requirement where subdivider provides common open space for use of subdivision residents; deletes title abstract or insurance requirements for land dedicated to public use; permits extensions of 60-day review period; requires mailing notice of hearing on preliminary plat to subdivider and adjoining landowners; confirms certain previously executed deeds and contracts.

Amends: 11-3861 through 11-3867, 11-3870

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335	HB 1050	Hall	7/1/75	3/28/74
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Provides a mandatory state-wide police reserve fund for first and second class cities; permits other cities to participate; abolishes boards of trustees of police reserve funds of participating cities and transfers functions to the Department of Administration; changes city contribution from 1 mill to 11% of policeman's salary; requires the transfer of all funds to the Department of Administration which will invest and otherwise administer them; provides for funding of benefits; increases from 3% to 6% the contribution of active personnel; provides for qualification and status of police officers on police reserves; provides that retirement benefits are protected from legal process; provides for cost of living increases; effective July 1, 1975.

Amends: 11-1814, 11-1823, 11-1825, 11-1826, 11-1836
 Enacts: 11-1838 through 11-1850, 82A-222, 82A-223
 Repeals: 11-1818, 11-1820, 11-1821

336	HB 1066	Baucus	7/1/74	3/28/74
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Requires that residents of certain state institutions or persons responsible for them be assessed for ancillary charges, as defined, according to their ability to pay; forbids the making of an assessment which would place an undue financial burden on the responsible person.

Amends: 80-1602, 80-1603

337	HB 1073	Greely	7/1/74	3/28/74
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Increases from 3 to 15 the number of acres that can be involved in a real estate transaction financed by means of a trust indenture.

Amends: 52-402 through 52-404

338	SB 641	Flynn	3/28/74	3/28/74
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Revises qualifications for superintendent of Warm Springs State Hospital to provide, as an alternative to being a licensed physician, that the superintendent may be a professional hospital administrator with

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a master's degree and 3 year's experience.

Amends: 80-2402

339	SB 539	Bollinger	3/28/74	3/28/74
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Increases the size of the Public Service Commission from 3 to 5 members; apportions the state into 5 districts divided on the basis of population; requires each commissioner to be elected from a separate district and to be an elector of the district from which he is elected; provides that current commissioners whose terms are not expired by the effective date of this act shall continue in office; provides for staggered 4 year terms.

Amends: 70-101

Enacts: 70-101.1

Repeals: 72-101, 72-102

340	HB 974	Roberts	3/28/74	3/28/74
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Provides, for determining liquor license quotas, that the inhabitants residing outside but within 5 miles of a city's limits shall be included with rather than excluded from the city's population to determine the city's quota; excludes such residents from the determination of the county's quota; requires Department of Revenue to find upon hearing that public convenience and necessity justifies issuance of any original license pursuant to this act after April 30, 1974.

Amends: 4-403

Enacts: 4-403.1

341	SB 624	Klindt	7/1/74	3/28/74
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Permits the Legislative Consumer Committee to meet more frequently; makes the Consumer Counsel's attendance at public service hearings discretionary; makes specific the grant of discovery powers by the Consumer Counsel under the Montana Rules of Civil Procedure; empowers the Consumer Counsel to participate in proceedings before administrative agencies on behalf of utility and transportation consuming public including review of failure to act by the Public Service Commission.

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Amends: 70-704, 70-707

342 SB 630 Lynch 7/1/74 3/28/74

Permits those persons who, prior to January 1, 1970, were found qualified by the Supreme Court for admission to the bar by examination, to take the examination in 1974 and 1975.

Amends: 93-2002

343 SB 660 Gilfeather 7/1/74 3/28/74

Provides for the definition and calculation of ANB for special education students.

Amends: 75-6902, 75-6903

344 SB 661 Gilfeather 7/1/74 3/28/74

Provides an allowable cost schedule for special education programs; requires the Superintendent of Public Instruction to promulgate rules relating to record keeping and case loads; and requires school districts to make an annual accounting of funds for special education.

Enacts: 75-7813.1

Repeals: 75-7813

345 SB 662 Gilfeather 7/1/74 3/28/74

Provides a method to fit the total amount of costs that a school district may charge to the special education program into the school foundation program for the purposes of financial assistance; requires that all funds received by a school district for special education programs be expended for special education purposes only.

Amends: 75-6905, 75-6906

346 SB 663 Gilfeather 7/1/74 3/28/74

Allows a school district to exceed the general fund

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budget expenditure limitation when new special education programs are implemented.

Amends: 75-6923

347 SB 664 Gilfeather 7/1/74 3/28/74

Provides an increase in the elementary and high school maximum-budget-without-a-vote amount schedules for 1974-75.

Amends: 75-6905

348 HB 590 Fasbender 7/1/74 3/28/74

Codifies and generally revises the laws relating to the Department of Intergovernmental Relations.

Amends: 1-101, 1-102, 1-203, 1-204, 1-205, 1-301 through 1-306, 1-308, 1-310, 1-311, 1-314, 1-315, 1-316, 1-318, 1-319, 1-320, 1-322, 1-323, 1-324, 1-401, 1-501, 1-502, 1-710, 1-807, 1-808, 1-818, 1-901, 1-902, 1-903, 1-915, 6-205, 6-603, 11-806, 11-1403, 11-1404, 11-1406, 11-1411, 11-1914, 11-1923, 11-3129, 11-4110, 16-1226, 16-1228, 16-1229, 16-1230, 16-1233, 16-1901, 16-1902, 16-1903, 16-1904, 16-1909, 16-2001, 16-2049, 16-2621, 16-2625, 16-2924, 25-231, 32-4601, 32-4602, 32-4605, 32-4606, 32-4607, 59-514, 59-515, 82-3701, 82-3702, 82-3705, 82-3706, 82A-904, 82A-905, 82-2107
Enacts: 1-204.1 through 1-204.4, 1-322.1, 1-323.1 through 1-323.6, 16-1226.1, 82-3705.1 through 82-3705.3, 82-4501 through 82-4514, 82A-901.1
Repeals: 1-201, 1-202, 1-312, 1-313, 1-317, 1-321, 1-504, 1-805, 1-926, 11-3253, 16-1225, 16-1227, 16-2925, 32-4603, 32-4604, 82-3703, 83-3704, 83-3707, 82-3709, 82A-902, 82A-903, 82A-906

349 HB 595 Fasbender 3/28/74 3/28/74

Codifies and generally revises the laws relating to the Department of Health and Environmental Sciences.

Amends: 27-612, 27-616, 27-702, 27-721, 27-801, 27-804, 34-305, 69-3401, 69-3402, 69-3405, 69-3608, 69-3610, 69-3906 through 69-3909, 69-3912, 69-3914, 69-3915, 69-3918, 69-3919, 69-3921, 69-3923, 69-4002, 69-4010, 69-4102, 69-4104, 69-4106, 69-4110 through

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350 HB 649 Fasbender 7/1/74 3/28/74

Codifies and generally revises the laws relating to
the Department of Professional and Occupational
Licensing.

Amends: 54-301, 54-302, 54-303, 54-314, 54-315, 54-
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351	HB 657	Greely	3/28/74	3/28/74
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Allows county commissioners in first and second class counties and the governing body of cities participating in city-county boards of health to agree upon the division of expenses; authorizes a 5-mill levy by a county on property outside any incorporated city, and a 5-mill levy by a city on property within its borders; provides all moneys shall be deposited with the county treasurer and disbursed as county funds.

* Also rennumbers

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Summary of Provisions

Amends: 69-4508

352 HB 918 Lynch 7/1/74 3/28/74

Authorizes school districts to operate middle schools as an alternative to junior high schools; defines a middle school as grades 4 through 8 or any combination thereof; provides when a middle school has been approved and accredited pupils below the 7th grade shall be considered elementary school pupils for ANB purposes and the 7th and 8th grade high school pupils for ANB purposes.

Amends: 75-6601, 75-6902, 75-7502, 75-7504
Enacts: 75-6609

353 HB 953 Fagg 7/1/74 3/28/74

Provides for the issuance of school bonds in excess of the 5% debt limitation by a school district about to have a significant burden, including the construction of additional school facilities, imposed on it by the impending construction or completion of a major industrial facility, as defined; permits such a district to require as a condition for class 7 property qualification that the owners of the facility agree to pay to the principal and interest on the bond issue that is equal to the indebtedness in excess of the limitation; provides for tax credits to the industry after all excess indebtedness of the district is paid off; requires voter approval; limits excess indebtedness to 5% of the projected assessed value of the industrial facility when completed, as estimated by the Department of Revenue.

Amends: 75-7104

354 HB 964 Marks 7/1/74 3/28/74

Provides that all 7th and 8th grade pupils may be counted as high school pupils for ANB budgeting purposes in order to establish a "middle school"; counts such pupils at the enrollment level of the high school within whose district the elementary school is located; provides that pupils so counted for ANB purposes shall be counted, for total school enrollment purposes, as belonging to the elementary

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school.

Enacts: 75-6905.1

355	SB 367	Comm. on Highways & Transporta- tion (by re- quest)	7/1/74	3/28/74
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Revises the statute establishing the State Motor Pool to limit the operation of the Motor Pool Division of the Department of Highways to the Helena area and restricts pooled vehicle types to passenger and light truck type vehicles; vests regulatory power over use of state vehicles in the Motor Pool Division; establishes authority for inter-agency rental of state owned vehicles; and provides differential mileage rates to be paid to state employees when using their own vehicle contingent on whether the vehicle uses is for the convenience of the state.

Amends: 53-514 through 53-519, 53-801, 53-802

Enacts: 53-519.1 through 53-519.3

356	SB 471	Sorenson	7/1/74	3/28/74
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Sets an issuance fee of \$20,000 for any new license to sell liquor at retail in, or within 5 miles of a city of 10,500 population or more.

Amends: 4-404

357	SB 485	Gilfeather	7/1/74	3/28/74
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Defines library federations; authorizes state Library Commission to designate regions for the formation of library federations; makes library federations, rather than joint county libraries or regional librarires, the medium for cooperative library programs by 2 or more local governments; provides for boards of trustees of library federations.

Amends: 44-131, 44-212, 44-213, 44-214, 44-215

Enacts: 44-214.1

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Summary of Provisions

358 SB 554 Zody 3/28/74 3/28/74

Authorizes Department of Social and Rehabilitation Services to provide supplementary assistance to recipients of supplemental income for the aged, blind or disabled under the federal social security program.

Enacts: 71-210.1, 71-210.2

359 SB 608 Goodheart 3/29/74 3/29/74

Directs Department of Revenue to reduce markup on liquor made or bottled in Montana by 10% relative to the markup on other brands of liquor.

Enacts: 4-114.1, 4-114.2

360 SB 620 Lowe 7/1/74 3/28/74

Revises county weed control program; empowers agricultural experiment station or county extension agent to approved additions to noxious weed list; requires 1 member of county weed board to have professional-level competence in field of biology; makes county extension agent ex-officio member of board; directs county weed board to control noxious weeds on all lands within county, assessing the costs of weed control on lands other than highway edges to the owner or holder of easements; encourages preservation of wildlife habitat.

Amends: 16-1701, 16-1709.1, 16-1713, 16-1719

361 SB 626 Drake 7/1/74 3/28/74

Increases the contribution of a member of the Montana Highway Patrolmen's retirement system from 5% to 6-1/6% of his monthly salary; directs the 44th Legislature to establish a new rate for the state's contribution; increases benefits to retirees; permits a member with 15 years or more service in the patrol to elect to include up to 5 years of military service for the purpose of calculating retirement benefits; requires the member, in case that election is made, to pay his shared contributions for those years; provides for cost of living increases; repeals the provision for optional retirement after 20 years'

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Summary of Provisions

service with reduced retirement benefits.

Amends: 31-201, 31-209, 31-210, 31-213, 31-223

Enacts: 32-231

Repeals: 31-212

362 HB 86 Lucas 1/1/75 3/29/74

Defines "habitual traffic offender"; provides for a system of conviction points leading to revocation of driving privileges; provides for hearings; appeal procedures and penalties; places administration of the act in the Montana Highway Patrol Bureau; provides an effective date of January 1, 1975.

Enacts: 31-175 through 31-190

363 HB 221 Mehrens 7/1/74 3/29/74

Raises the personal exemption allowance for state income tax purposes to \$650 from \$600.

Amends: 84-4910

364 HB 556 Fagg 7/1/74 3/29/74

Enacts the "Planned Community Development Act"; establishes prerequisites and procedures for municipalities to annex contiguous areas; authorizes resident freeholders to petition for annexation; requires municipalities to plan the extension of governmental services to such area; provides for judicial review of annexation proceedings.

Enacts: 11-514 through 11-525

365 HB 557 Hall 7/1/75 3/29/74

Enacts sections of the Uniform Probate Code; revises and recodifies the laws relating to decedents' estates; revises and recodifies laws relating to guardianship of minors and incapacitated persons and the laws relating to conservatorship; provides for termination of joint tenancies and life estates and payment of inheritance taxes.

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Summary of Provisions

Amends: 91-131, 91-218, 91-612, 91-1106, 91-3406, 91-4417, 91-4423, 91-4430, 91-4437, 91-4438, 91-4448, 91-4467, 91-4411

Enacts: 91A-1-101 through 91A-1-108, 91A-1-201, 91A-1-301 through 91A-1-309, 91A-1-401 through 91A-1-403, 91A-2-101 through 91A-2-112, 91A-2-201 through 91A-2-207, 91A-2-209, 91A-2-301 through 91A-2-302, 91A-2-401 through 91A-2-405, 91A-2-501 through 91A-2-513, 91A-2-601 through 91A-2-612, 91A-2-701, 91A-2-801 through 91A-2-803, 91A-2-901, 91A-2-902, 91A-3-101 through 91A-3-109, 91A-3-201 through 91A-3-204, 91A-3-301 through 91A-3-311, 91A-3-401 through 91A-3-414, 91A-3-501 through 91A-3-505, 91A-3-601 through 91A-3-618, 91A-3-701 through 91A-3-722, 91A-3-801 through 91A-3-816, 91A-3-901 through 91A-3-916, 91A-3-1001 through 91A-3-1010, 91A-3-1101, 91A-3-1102, 91A-3-1201 through 91A-3-1205, 91A-4-101, 91A-4-201 through 91A-4-209, 91A-4-301 through 91A-4-303, 91A-4-401, 91A-5-101 through 91A-5-104, 91A-5-201 through 91A-5-212, 91A-5-301 through 91A-5-313, 91A-5-401 through 91A-5-431, 91A-5-501, 91A-5-502, 91A-6-101, 91A-6-102, 91A-6-103, 91A-6-104, 91-4468

Repeals: 22-101 through 22-117, 91-101, 91-102, 91-107, 91-108, 91-113 through 91-116, 91-122, 91-125 through 91-130, 91-135 through 91-139, 91-141, 91-201, 91-210, 91-214 through 91-217, 91-227, 91-235, 91-301, 91-303, 91-304, 91-307, 91-308, 91-311 through 91-314, 91-317, 91-319, 91-321, 91-402 through 91-405, 91-411 through 91-418, 91-423 through 91-430, 91-520 through 91-522, 91-612A, 91-612B, 91-701, 91-702, 91-801 through 91-811, 91-901, 91-904, 91-1001 through 91-1003, 91-1101 through 91-1105, 91-1107, 91-1301 through 91-1303, 91-1305 through 91-1312, 91-1401, 91-1402, 91-1404 through 91-1406, 91-1501 through 91-1509, 91-1601 through 91-1604, 91-1701 through 91-1723, 91-1801 through 91-1807, 91-1901 through 91-1906, 91-2002 through 91-2004, 91-2101 through 91-2105, 91-2201 through 91-2204, 91-2207 through 91-2213, 91-2401 through 91-2407, 91-2501 through 91-2507, 91-2601 through 91-2612, 91-2701 through 91-2705, 91-2707 through 91-2712, 91-2715 through 91-2720, 91-2723, 91-2724, 91-2801 through 91-2810, 91-2901, 91-2902, 91-3001 through 91-3039, 91-3101 through 91-3109, 91-3201 through 91-3204, 91-3209 through 91-3212, 91-3301 through 91-3313, 91-3405, 91-3407, 91-3601 through 91-3608, 91-3701 through 91-3706, 91-3801 through 91-3803, 91-3901 through 91-3907, 91-4001 through 91-4012, 91-4101 through 91-4106, 91-4311, 91-4314 through 91-4316, 91-4321, 91-4322, 91-4501 through 91-4508, 91-4510 through 91-4518, 91-4522

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Summary of Provisions

through 91-4525, 91-4601 through 91-4604, 91-4606 through 91-4608, 91-4610, 91-4611, 91-4701 through 91-4706, 91-4801 through 91-4822, 91-4901 through 91-4904, 91-4906, 91-4907, 91-4909 through 91-4911, 91-5001 through 91-5007, 91-5101 through 91-5111, 91-5202, 91-5203, 91-5210, 91-5301 through 91-5312, 93-1404.4

366 HB 665 Bardanouve 1/1/75 3/29/74

Requires fire department relief associations in first and second class cities to have their funds managed by the state Board of Investments in the pooled investment fund; requires all other fire department relief associations to have their funds managed in the pooled investment fund when the average yield on investments of public retirement funds under the state Board of Investments exceeds by 1% in any fiscal year the investment yield of the fire department relief associations; requires an actuarial evaluation of the fire department relief associations in first and second class cities; provides that after January 1, 1975, all funds to be invested by the state Board of Investment shall be transferred to it at its direction.

Amends: 11-1914, 11-1920

367 HB 694 Gerke 7/1/74 3/29/74

Makes the Legislative Audit Committee a permanent joint committee of the legislature; specifically establishes the office of the Legislative Auditor; requires appointment of committee members during the first session of the biennium and provides for their terms of office; allows the committee to meet as often as necessary; provides for compensation of members; allows the Legislative Auditor to hire consultants and legal counsel; requires copies of each audit to be furnished to the Department of Administration, requires the Governor to be notified of any apparent criminal violations disclosed by an audit of a state agency; requires the Legislative Auditor to report to the legislature during the first week of each regular session in odd-numbered years; authorizes the Legislative Auditor to audit records of persons and organizations receiving grants from or on behalf of the state for the purpose of determining that such grants are

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Summary of Provisions

administered according to their terms and conditions;
requires state agencies to obtain written consent
from its grantees for such audits.

Amends: 79-2303*, 79-2304*, 79-2306*, 79-2308*, 79-
2310*, 79-2312*

Enacts: 79-2303.1

Renumbers: 79-2305, 79-2307, 79-2309

368	HB 785	Swanberg	7/1/74	3/29/74
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Subrogates the Department of Social and Rehabilita-
tion Services to the rights of a child or person
having the custody of such child to prosecute and re-
cover upon support obligations owed by an obligor
parent for the amount of public assistance payments
made to such child or the amount of court ordered
support, whichever is less.

Enacts: 71-511

369	HB 822	Driscoll	7/1/74	3/29/74
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Provides for licensing handicapped persons to operate
motor-driven wheelchairs and similar vehicles on the
streets of a city or town; exempts such vehicles from
registration; requires a slow moving equipment em-
blem or red flag to be displayed on such vehicles;
allows cities and towns to regulate such vehicles.

Amends: 53-104

Enacts: 11-911.1, 11-911.2

370	HB 886	Edland	7/1/74	3/29/74
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Provides for a \$35 fee, in lieu of taxation, for a
60 day period for agricultural harvesting machinery
licensed in other states and operated on the lands of
persons other than the owner of the machinery under
contracts for hire.

Amends: 84-6008

371	HB 895	Holtz	7/1/74	3/29/74
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Provides for a \$40 per unit tax on non-residents

* Also renumbers

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Summary of Provisions

engaged in the business of custom combining in lieu of certain other taxes and fees; requires Department of Highways to collect the tax; provides for disposition of the tax; prohibits transfer of tax sticker from vehicle to vehicle or owner to owner.

Enacts: 84-6015

372	HB 1028	Baucus	7/1/74	3/29/74
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Allows the regional board to retain all fees received for the treatment of patients under the community mental health services program to the extent necessary to assure full federal funding; rescinds directive to deposit 40% of such fees in the general fund.

373	HB 1052	Warfield	7/1/74	3/29/74
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Allows the state Superintendent of Public Instruction to grant a school district a variance in the method of ANB calculation for kindergarten students.

Amends: 75-6902, 75-7402, 75-7403

374	HB 1089	McKittrick	7/1/74	3/29/74
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Maintains the eligibility of employees to participate in the Public Employees' Retirement System when their employer has entered into a public bargaining agreement which includes provisions for payments by the employer in lieu of wages to a retirement plan approved by the Internal Revenue Service; provides that the contributions in lieu of wages are not part of the employees compensation for purposes of computing the employer or employee contribution to PERS.

Amends: 68-1602

375	HB 1101	Schepens	7/1/74	3/29/74
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Revises the list of public uses for which the right of eminent domain may be exercised by requiring that in the case of a reservoir site, its public use as a reservoir must be demonstrable to the district court as the highest and best use of the land.

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Summary of Provisions

Amends: 93-9902

376	SB 266	Gilfeather	3/30/74	3/30/74
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Exempts household goods and personal property used for personal or domestic purposes from the property tax.

Amends: 84-202, 84-301

377	SB 703	Committee on State Admin- istration (by request)	7/1/74	3/30/74
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Provides for salary increases for certain elected state officials in the executive and judicial branches of government.

Amends: 25-501, 93-303

378	SB 508	Lowe	7/1/74	3/30/74
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Designates the Department of Intergovernmental Relations as custodian of all state owned or leased airplanes; authorizes the department to formulate rules and regulations governing the use of airplanes under its control, to co-ordinate the use of such airplanes, to charge for their use, to establish a capital fund; provides any deficit from the operation of the state's planes incurred by the department may be provided for in the state's general fund budget; provides escape clause if the act imperils any federal aid.

Enacts: 1-1101 through 1-1105

APPROPRIATION BILLS

Bill No.	Chief Sponsor	Effective Date	Date Signed By Governor
<hr/> Summary of Provisions <hr/>			
HB 566	Bennetts	7/1/74	3/28/74
Appropriates \$28,800 from the general fund to the Department of Labor and Industry to implement functions relative to the employment and related needs of women in the work force.			
HB 627	Kvaalen	7/1/74	3/28/74
Appropriates money from the fish and game earmarked revenue fund to the Department of Fish and Game to be used on the South Sandstone Water-spreading and Recreation Department.			
HB 746	Bardanouve	3/28/74	3/28/74
Appropriates money to the Department of Education, the Board of Regents of Higher Education and the units of the state university system.			
HB 747	Bardanouve	3/27/74	3/27/74
Appropriates money to various state agencies; includes the salary increase to all nonelected state employees.			
HB 748	Bardanouve	3/28/74	3/28/74
Appropriates money to various state agencies for the biennium ending June 30, 1975.			
HB 891	Driscoll	3/28/74	3/28/74
Appropriates \$71,925 to the Department of Public Service Regulation.			
HB 931	Lynch	3/28/74	3/28/74
Appropriates \$200,000 to the Department of Social and Rehabilitation Services for the purchase of sheltered employment services for severely			

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Summary of Provisions

handicapped persons.

HB 987	Haines	7/1/74	2/27/74	Appropriates \$5,000 from the general fund to the office of the Secretary of State to publish two previously unpublished legislative journals.
HB 1111	Watt	3/28/74	3/28/74	Appropriates \$50,000 to state Bicentennial Commission for distribution to county bicentennial commissions.
HB 1116	Norman	7/1/74	3/28/74	Appropriates \$2,600,000 to Board of Examiners for payment of an honorarium to each resident of Montana who had military service in the Vietnam area during the Vietnam war.
HB 1117	Fleming	7/1/74	3/28/74	Appropriates \$25,000 to Agricultural Experiment Station for additional funds to construct feed mixing plant.
HB 1119	Ulmer	3/28/74	3/28/74	Appropriates \$60,000 to pay the state's portion of the local share of the Carbon Hill Watershed Project; provides for reversion to the general fund of all state funds appropriated for this project in the event the local area fails to provide its share.
HB 1121	Cox	3/28/74	3/28/74	Appropriates \$229,600 to the Department of Intergovernmental Relations to be distributed to municipalities and counties for support of local government study commissions.

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Summary of Provisions

HB 1122	Kimble	7/1/74	3/26/74
Appropriates \$14,750 to the Department of Inter-governmental Relations for additional staffing and administration in the Indian Affairs Unit.			
HB 1128	Kosena	7/1/74	3/28/74
Appropriates \$109,640 to the Office of the Legislative Auditor for the creation and staffing of a legislative fiscal analysis program within the Office of the Legislative Auditor.			
HB 1129	Laas	7/1/74	3/26/74
Appropriates \$8,500 to the Montana Historical Society Library Archives program to employ a photo-archivist.			
HB 1130	Lee	7/1/74	3/26/74
Appropriates \$190,720 to the Division of Workmen's Compensation to fund benefits to those persons whose workmen's compensation benefits for injury causing death were reduced, under former law, by the amount of social security benefits they received.			
SB 493	James	3/14/74	3/14/74
Appropriates \$25,000 to the Legislative Council for actuarial valuations of the police officers', firemen's, game wardens', highway patrolmen's and sheriffs' retirement program.			
SB 511	Bollinger	1/12/74	1/12/74
Appropriates \$1,200,000 for the operation of the 43rd Legislature.			
SB 531	Bertsche	7/1/74	3/26/74
Appropriates money for capital improvement projects for Warm Springs State Hospital and the Center for the Aged.			

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Summary of Provisions

SB 532	Bertsche	3/26/74	3/26/74
	Appropriates money to the Department of Institutions for funding programs at the various state institutions.		
SB 533	Bertsche	3/26/74	3/26/74
	Appropriates money to various state agencies.		
SB 594	Graham	7/1/74	3/28/74
	Appropriates \$110,000 to the Legislative Council for the publication of the journals, session laws and statute number compilations of the 1974 Legislature.		
SB 622	Moore	7/1/74	3/28/74
	Appropriates \$15,600 to the University of Montana Law School for the justice of the peace orientation course.		
SB 629	Thiessen	7/1/74	3/28/74
	Appropriates \$8,000 from the fish and game earmarked revenue fund to the Wibaux County fish pond and recreation project.		
SB 726	Zody	7/1/74	3/26/74
	Appropriates \$175,200 to the Department of Social and Rehabilitation Services to provide supplementary payments to recipients of supplemental security income under Title XVI of the Social Security Act.		
SB 727	Klindt	7/1/74	3/28/74
	Appropriates \$20,000 from the general fund to the Governor to fund a program for recreation, physical fitness and lifetime sports for the biennium ending June 30, 1975.		

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Summary of Provisions

SB 729	Sorensen	7/1/74	3/28/74
Appropriates \$227,000 to the architecture and engineering construction account revolving fund from the Department of Highways earmarked revenue fund for the construction of a capitol complex motor pool facility; provides for reimbursement of the earmarked revenue fund by the Department of Highways for all sums transferred under this act.			
SB 733	Lowe	3/26/74	3/26/74
Reappropriates money from the long-range building account to the Department of Administration to construct a building on state owned land to be used by the Department of Social and Rehabilitation Services.			
SB 734	Bertsche	3/26/74	3/26/74
Appropriates \$600,000 for the construction of a new prison facility.			
SB 737	Bollinger	3/26/74	3/26/74
Appropriates \$265,685 to the Department of State Lands for funding the saline-alkali study and related duties.			
SB 739	Bertsche	7/1/74	3/28/74
Appropriates \$183,191 to the Attorney General for prosecutorial functions related to the legislative audit of the Division of Workmen's Compensation for the fiscal years 1974 and 1975.			
SB 740	Moritz	3/28/74	3/28/74
Appropriates \$75,000 from the general fund to the Motor Pool Division of the Department of Highways to pay for delinquencies owed it by various agencies.			

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Summary of Provisions

SB 742	Graham	7/1/74	3/26/74
Appropriates \$15,000 to the Legislative Council to update the Statutory Information Retrieval System data base.			
SB 744	Bollinger	7/1/74	3/28/74
Appropriates \$20,000 from the general fund to the General Services Division of the Department of Administration for the purchase of a multi-lith duplicator and related equipment for the duplicating center.			
SB 745	McCallum	3/28/74	3/28/74
Appropriates \$305,700 to the State Auditor for the insurance regulation and licensing program for the biennium ending June 30, 1975.			
SB 746	Bollinger	7/1/74	3/28/74
Appropriates \$12,458 to the Legislative Business Manager to pay the employer's contribution to PERS for the members of the legislature and legislative attaches.			

HOUSE JOINT RESOLUTIONS

Resolution No.	Chief Sponsor	Date Adopted
<u>Summary of Resolution</u>		
4	Regan	1/25/74
Ratifies the proposed amendment to the United States Constitution relating to equal rights on account of sex.		
38	R. Harper	2/23/74
Requests Montana's Congressional delegation to sponsor an amendment to the United States Constitution guaranteeing the right to life.		
39	Bennetts	3/7/74
Requests Montana Congressional delegation to support federal legislation funding state programs for the vocational training of potential parolees from state prisons; declares policy of resolving to implement such programs.		
42	Campbell	2/16/74
Urges the expansion of railway passenger service, the restoration of mail service by rail and the re-establishment of "name trains."		
44	Rolfe	2/16/74
Declares the Montana state legislature's unalterable opposition to registration and confiscation of firearms.		
47	Marbut	3/16/74
Requests interim Legislative Council study of the feasibility of creating a department of human resources within the executive branch.		
51	McKittrick	3/8/74
Requests a legislative study of the premium rate		

Summary of Resolution

structure of plans 2 and 3 of the Workmen's Compensation Act.

52

Tierney

3/1/74

Commends and supports the supplemental security income program; commends the American Red Cross' participation in the program.

53

Aageson

3/6/74

Recognizes the potential impact of summer weather modification on Montana's water resources, environment and economy; endorses cooperative research efforts to better understand this technology and its impacts.

54

Colberg

3/15/74

Urges the commitment of federal funds to make detailed field investigations on uses of waters in the Yellowstone basin.

56

Warfield

3/5/74

Urges Congress to rescind the daylight saving time law during the winter months; requests the Department of Transportation to exempt Montana from daylight saving time between the first Sunday in November and the first Sunday in March.

59

Holmes

3/13/74

Instructs the Board of Public Education and the Board of Regents of Higher Education to devise a master plan for enriching the teacher training process in the area of ethnic studies.

60

Holmes

2/21/74

Instructs the Boards of Education and Higher Education to devise a master plan for enriching the background of all public school teachers in American Indian culture.

Resolution No.	Chief Sponsor	Date Adopted
Summary of Resolution		
62	Baucus	3/14/74
Requests a legislative study to determine the changes that should be made to achieve equality of the sexes under Montana law.		
63	Lien	3/4/74
Requests the Secretary of the Interior to work to rescind the rule that requires abandoned gas and oil wells to be marked by a pipe standing at least 4 feet above ground level when the land involved is in agricultural use; urges the Montana Commissioner of Agriculture and the director of the Department of Natural Resources and Conservation to participate in any rule making proceeding that may arise as a result of this resolution.		
66	Huennekens	3/14/74
Requests a blue ribbon committee to study the future direction, scope and financial requirements of mental services provided by the state.		
67	Marbut	3/16/74
Requests a legislative study concerning the coordination and provision of child development programs.		
73	Brown	3/16/74
Directs all state agencies to include thorough economic analysis as part of environmental impact statements required under the Montana Environmental Policy Act; directs the Environmental Quality Council to monitor agency compliance with this resolution; directs the executive director and staff of the Environmental Quality Council to give consideration to economic goals in implementing the act.		
75	Stephens	3/7/74
Requests the Departments of Agriculture, Livestock and Administration to prepare a construction project request for a proposed new agriculture-livestock building.		

Resolution No.	Chief Sponsor	Date Adopted
<hr/> Summary of Resolution <hr/>		
77	Kosena	3/14/74
Requests a legislative study of Montana's fire protection laws.		
79	Ellerd	3/8/74
Requests the modernization of federal laws relating to the marketing of livestock.		
80	McKittrick	3/9/74
Requests the appointment of a committee to study the operation, objectives and financing of inter-school activities in Montana.		
81	Committee on Rules	3/15/74
Establishes a new joint rule 8-8 to provide for a fee schedule for copies of legislative proceedings.		
82	Judiciary Committee	3/7/74
Directs the Legislative Council to study ethical considerations affecting the conduct of elected officials and public employees; directs the Council to propose legislation establishing a code of ethics to the next regular session.		

HOUSE RESOLUTIONS

Resolution No.	Chief Sponsor	Date Adopted
Summary of Resolution		
33	Baeth	1/18/74
Requests the Governor, the Montana Congressional delegation, the Army Corps of Engineers, and the United States Forest Service to begin the immediate construction of a fish hatchery in Lincoln County, Montana.		
44	Fasbender	1/10/74
Adopts rules governing House proceedings in addition to the joint rules.		
45	Ulmer	3/14/74
Directs the House Taxation Committee to investigate the feasibility and value of a multistate tax approach to coal taxation.		
46	Hager	2/16/74
Requests Congress to undertake a comprehensive investigation of future transportation priorities, particularly as they affect Montana.		
47	Kendall	2/5/74
Directs a Legislative Council study to determine effective and equitable methods of limiting the number of bills which can be introduced at one session of the legislature.		
49	Edland	2/18/74
Requests federal assistance in providing housing and related care facilities for the elderly.		
50	East	2/26/74
Requests the Governor to consider designating the Employment Security Division of the Department of Labor and Industry as the administering agency for the Comprehensive Employment and Training Act of 1973.		

Resolution No.	Chief Sponsor	Date Adopted
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Summary of Resolution

51	Edland	2/18/74
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Requests the Committee on Priorities to assign the appropriate standing committee to study the effects of prohibiting and controlling ownership and use of agricultural land in Montana by foreign and domestic corporations and other non-agricultural entities.

52	Taxation Committee	2/21/74
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Requests the Department of Revenue to make a study and recommend legislation to bring Montana income tax law regarding pension plans into closer conformity with federal law and to provide more uniform treatment of private and public pension plans.

53	Seifert	2/12/74
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Concerns studying the possibility of constructing an areawide sewage treatment system for all communities surrounding Flathead Lake; requests the Governor to designate the Flathead Lake area for area-wide waste treatment management programs pursuant to the Federal Water Quality Act of 1972; requests the Committee on Priorities to assign the appropriate standing committee to study, in consultation with affected units of local government, statutory provisions relating to regional sewage treatment systems.

54	Greely	2/6/74
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Makes recommendations for minor changes to facilitate the administration of elections in the reapportionment plan prepared by the Districting and Apportionment Commission; requests that the commission reconsider its policy of creating homogeneous districts where that policy would lead to polarization of interests in the legislature.

55	Brand	3/8/74
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Requests the Civil Aeronautics Board to establish regulations providing for continued air service to Montana cities when an airline providing sole service is shut down; requests Montana's Congressional delegation to support pending bills which would

Resolution No.	Chief Sponsor	Date Adopted
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Summary of Resolution

abolish mutual aid pacts among airlines.

57	State Administration Committee	3/1/74
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Directs the Montana Arts Council to commission a statue of Jeannette Rankin for placement in the rotunda of the State Capitol.

58	Kosena	3/2/74
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Urges private employment agencies to regulate themselves to discourage and eliminate unfair and unreasonable practices by certain private employment companies.

60	Edland	3/8/74
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Requests the legislature and all state agencies to salvage for recycling used paper wherever feasible.

61	Fleming	3/1/74
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Urges the Congress of the United States to temporarily suspend provisions of the Jones Act which inhibit the transportation of adequate quantities of fertilizer.

62	Fasbender	3/14/74
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Requests the Department of Business Regulation to study the feasibility of a state-operated milk components testing program.

66	Haines	3/15/74
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Memorializes Fred Whiteside and directs the Montana Arts Council to commission a statue of him to be placed in the rotunda of the State Capitol.

67	Halvorson	3/9/74
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Urges Congress to build an interpretive center at the National Bison Range at Moiese, Montana.

Resolution
No.

Chief
Sponsor

Date
Adopted

Summary of Resolution

- | | | |
|---|-----------------------|---------|
| 69 | Clemow | 3/14/74 |
| <p>Appoints a select committee to recommend protective measures for the paintings in the State Capitol.</p> | | |
| 70 | Murphy | 3/12/74 |
| <p>Requests the Federal Power Commission to conduct the hearings concerning the expansion of the Colorado Interstate Gas Company activities into the Bearpaw Mountain Area in a convenient location in Montana.</p> | | |
| 71 | Bell | 3/14/74 |
| <p>Urges Congress to approve a resolution suspending the requirements of annual assessment work on mining claims.</p> | | |
| 72 | Prevost | 3/15/74 |
| <p>Requests Congress to limit the overseas export of nitrogen and phosphate fertilizers produced in the U.S.; to inventory available domestic fertilizer supplies and demand; and to implement an equitable allocation program of existing supplies to states.</p> | | |
| 73 | Committee on Taxation | 3/14/74 |
| <p>Requests the Department of Intergovernmental Relations and Department of Revenue to study the impact of major new industrial development on rural areas, considering increased demand for public services and an equitable assumption of the costs of providing such services.</p> | | |
| 74 | Barrett | 3/14/74 |
| <p>Designates the Solid Waste Section of the Department of Health and Environmental Sciences as the responsible agency for programs for the disposal of hazardous wastes; defines hazardous wastes.</p> | | |
| 75 | Cotton | 3/16/74 |
| <p>Declares support for efforts by the Departments of</p> | | |

Resolution No.	Chief Sponsor	Date Adopted
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Summary of Resolution

- | | | |
|---|------------|---------|
| 83 | Gunderson | 3/16/74 |
| Requests a legislative study of the rising costs of education, particularly school administration costs, and what effect the states' accreditation standards have on such costs. | | |
| 84 | Edland | 3/16/74 |
| Requests a legislative study of the taxation of new industrial facilities. | | |
| 85 | Edland | 3/16/74 |
| Requests a legislative study of the liquor laws for the purpose of generally updating and revising them. | | |
| 86 | R. Harper | 3/16/74 |
| Requests Department of Intergovernmental Relations to study the feasibility of reducing mass transit fares for the elderly and persons of low incomes. | | |
| 87 | Towe | 3/16/74 |
| Requests a legislative study of the provisions of the 1972 Montana Constitution dealing with the right to participate, the right to know and the right of privacy. | | |
| 88 | Lucas | 3/16/74 |
| Requests Federal Energy Commission to initiate regional planning programs to identify the social, economic and environmental impact of energy development in Montana and adjacent states. | | |
| 89 | Lund | 3/16/74 |
| Requests a legislative study of the problems relating to state institutions and their employees. | | |
| 91 | Bardanouve | 3/16/74 |
| Requests a study to determine methods of increasing the efficiency of legislative operations, to be con- | | |

Resolution
No.

Chief
Sponsor

Date
Adopted

Summary of Resolution

ducted by the Joint Committee on Legislative Administration, the Legislative Business Manager, the Legislative Council and the Legislative Auditor.

92

Committee on Judiciary

3/16/74

Requests a legislative study of mental commitment procedures.

93

Ulmer

3/16/74

Requests a legislative study of the taxation of coal and other fossil fuels, to consider whether such taxation could be based upon a percentage of the delivered price of the coal or other fuel.

SENATE JOINT RESOLUTIONS

Resolution No.	Chief Sponsor	Date Adopted
Summary of Resolution		
41	Joint Rules Comm.	1/15/74
Adopts the joint rules of the second regular session of the 43rd Legislature.		
42	Story	3/11/74
Urges the Secretary of the Interior to recommend against the construction of the proposed Allenspur Dam on the Yellowstone River.		
43	Bertsche	2/19/74
Urges the Congress to review current federal efforts in range land management and to increase appropriations to improve western range land.		
44	Bertsche	3/8/74
Supports the concept of federal legislation and funding to improve reforestation and balanced management practices on public and private forest lands.		
46	Bollinger	1/18/74
Fixes salaries of legislative attaches.		
50	James	2/12/74
Repeals Rule 40-3.78(6)-S78080 of the Montana Administrative Code, concerning monetary penalty for late renewal of certified pharmacy licenses.		
52	Natural Resources Comm.	3/7/74
Requests the Department of Natural Resources and Conservation and the Resource Conservation Advisory Council to recommend to the 44th Legislature proposed legislation and implementing rules and standards establishing a statewide program to control soil erosion and sediment damage.		

Resolution No.	Chief Sponsor	Date Adopted
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Summary of Resolution

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|----|-----------|---------|--|
| 53 | Lynch | 3/15/74 | <p>Requests a joint standing subcommittee study of the profession of "physicians' assistants" which will result in draft legislation to be presented to the 1975 session of the legislature.</p> |
| 54 | Lynch | 3/4/74 | <p>Requests the Office of the Governor to coordinate the development of a comprehensive motor vehicle information system.</p> |
| 55 | Darrow | 3/9/74 | <p>Directs the Department of Highways to re-evaluate highway reseeding practices and to seek new ways to employ safer and ecologically sounder practices in the future.</p> |
| 56 | Boylan | 3/9/74 | <p>Amends joint legislative rule 6-6 to require the name of an administrative or executive agency or department requesting introduction of a bill to be printed on the bill.</p> |
| 58 | McDonald | 3/4/74 | <p>Requests a continued and expanded legislative study of the election laws relating to local governments to be reported with findings, recommendations and any necessary legislation to the second regular session of the 44th Legislature.</p> |
| 59 | Bollinger | 3/8/74 | <p>Directs the Legislative Consumer Committee and the Consumer Council to conduct a study and make recommendations concerning the remuneration paid to owners of natural gas rights for their resource.</p> |
| 61 | Bertsche | 3/4/74 | <p>Requests Congress to allow Montana to be on Mountain</p> |

Resolution No.	Chief Sponsor	Date Adopted
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Summary of Resolution

Standard Time from November 1 to March 1.

- | | | | |
|----|-----------|---------|---|
| 62 | Bollinger | 3/11/74 | <p>Requests a legislative study of all aspects of licensing done by state and local government units except as related to motor vehicle and fish and game licenses with a report of findings, recommendations and proposed legislation to consolidate licensing and licensing functions to be made to the 44th Legislature.</p> |
| 63 | Bollinger | 3/15/74 | <p>Requests the Legislative Consumer Committee and the Consumer Counsel to conduct a study in conjunction with other appropriate state agencies in order to effectuate equitable rail freight rates and to report its progress and recommendations to the 44th Legislature.</p> |
| 64 | Manning | 3/16/74 | <p>Submits to the voters of Montana a proposed amendment to Article II, Section 18 of the Constitution of Montana which would provide for governmental immunity from suit in those cases where it is specifically provided by law by a two-thirds vote of each house of the legislature.</p> |
| 65 | Hall | 3/4/74 | <p>Requests AMTRAK and the Postmaster General of the United States to institute daily passenger and rail service all over Montana and to establish full connecting passenger and mail service on a north-south line from Coumts, Alberta, Canada to Nuevo Laredo, Mexico.</p> |
| 66 | Boylan | 3/6/74 | <p>Calls for a legislative study of Montana laws relating to the sale and use of fireworks with recommendations and proposed legislation to be submitted to the first regular session of the 44th Legislature.</p> |

Resolution No.	Chief Sponsor	Date Adopted
Summary of Resolution		
67	Bollinger	3/11/74
Requests the Department of Institutions to improve hospital and nursing bed space and care for veterans.		
68	Rosell	3/15/74
Requests a legislative study of the laws of Montana to determine what changes need to be made in those laws which distinguish between persons on the basis of sex in order to provide true legal equality of the sexes; requests a report and proposed legislation be presented to the first regular session of the 44th Legislature.		
69	Committee on Judiciary	3/16/74
Repeals Rule 42-3.26(14)-S26200(1) of the Montana Administrative Code, thereby permitting the licensure of open air facilities for the selling of liquor or beer; and provides a July 1, 1974 effective date.		
70	Siderius	3/16/74
Directs the formation of a 8 man joint bi-partisan select committee to study all aspects of the Workmen's Compensation Act, draft proposed legislation and report its findings to the 1975 session of the legislature.		

SENATE RESOLUTIONS

Resolution No.	Chief Sponsor	Date Adopted
Summary of Resolution		
40	Sorensen	2/8/74
Requests industries engaged in strip mining, the conversion of coal into energy in electrical and gasification plants, and in the shipment of coal to give preference to Montana citizens in their employment practices.		
44	Bollinger	2/8/74
Requests the Corps of Engineers to consider constructing new facilities and repairing old facilities at Rock Creek State Park and Bear Creek Park on Fort Peck Lake.		
46	Rules Committee	1/11/74
Adopts rules governing Senate proceedings in addition to the joint rules.		
47	Boylan	2/8/74
Encourages the Wally Byam Caravan Club International to visit Montana whenever possible.		
49	James	2/11/74
Requests the Governor to appoint a committee to investigate and study "The Professional Negotiations Act for Teachers" and other labor-management statutes related to public school education.		
50	Bollinger	3/1/74
Request housing and related care facilities for the elderly.		
51	Siderius	3/8/74
Recommends that the Governor designate the Employment Security Division of the Department of Labor		

Summary of Resolution

and Industry as the administering agency of the Comprehensive Employment and Training Act of 1973.

52

Turnage

2/14/74

Concerns studying the possibility of constructing an areawide sewage treatment system for all communities surrounding Flathead Lake; requests the Governor to designate the Flathead Lake region for areawide waste treatment programs pursuant to the Federal Water Quality Act of 1972; requests the Committee on Priorities to assign the appropriate standing committee to study, in consultation with affected units of local government, statutory provisions relating to regional sewage treatment systems.

54

Nees

2/22/74

Recommends that the Farmers Home Administration give favorable consideration to the request before it for funds to implement industrial development in the Fort Peck Indian Reservation.

55

Manning

2/6/74

Makes recommendations for minor changes to facilitate the administration of elections in the reapportionment plan prepared by the Districting and Apportionment Commission; requests the Commission to reconsider its policy of creating homogeneous districts where that policy would lead to polarization of interests in the legislature.

56

Bertsche

3/6/74

Requests the Civil Aeronautics Board to establish regulations which would provide continued air service to an area served by only one airline when that airline is shutdown; requests the Montana Congressional delegation to support legislation which would abolish mutual aid pacts among airlines.

57

Bollinger

3/9/74

Directs a legislative study of the October 3, 1972 staff report of the U.S. Senate Committee on Interior

Resolution No.	Chief Sponsor	Date Adopted
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Summary of Provisions

at the Bison Range at Moiese, Montana.

- | | | |
|--|--------------------------------------|---------|
| 67 | Committee on
State Administration | 3/12/74 |
| Directs the Montana Arts Council to commission a statue of Jeannette Rankin for placement in the rotunda of the State Capitol. | | |
| 68 | Zody | 3/15/74 |
| Directs that the Department of Health and Environmental Sciences shall be responsible for the regulation of the disposal of hazardous wastes in the state of Montana; and provides a definition of hazardous wastes. | | |
| 69 | Thiessen | 3/12/74 |
| Requests the U.S. Congress to investigate and take action to limit the export of scarce fertilizer resources; requests an inventory of available domestic fertilizer supplies against demand; requests the implementation of an equitable allocation program of existing supplies to the states. | | |
| 71 | Deschamps | 3/13/74 |
| Requests the Department of Institutions to investigate the feasibility of operating the prison ranch from a revolving fund account and as an enterprise operation; requests each institution to develop a total budget for food services and to pay the state prison ranch for food stuffs received, in order that the role of food costs in the overall operating budget of the Department of Institutions may appear more clearly. | | |
| 72 | Goodheart | 3/12/74 |
| Directs the Department of Agriculture and the Department of Livestock, in cooperation with general farm and ranch organizations and commodity groups, to prepare and provide data and information for the public indicating the price agriculture received and the final cost to the consumer for agricultural products. | | |

Resolution No.	Chief Sponsor	Date Adopted
<hr/> Summary of Resolutions <hr/>		
73	Nees	3/15/74
Requests a legislative study of custom combine taxation and fees.		
74	Thiessen	3/13/74
Requests a legislative study of the rising costs of education, especially administration costs and the effects that the state's accreditation standards have on the rising costs.		
75	Devine	3/15/74
Requests a legislative study of the liquor laws of Montana for the purposes of generally updating and revising them.		
76	Nees	3/15/74
Requests a legislative study of the taxation of new industrial facilities.		
77	Judiciary Committee	3/15/74
Requests a legislative study of the landlord-tenant law in Montana; requests draft legislation to be presented to the 44th Legislature.		
78	Judiciary Committee	3/15/74
Requests a legislative study of ways of implementing the right of participation, right to know, and right of privacy sections of the Montana constitution; requests a report and draft legislation be presented to the 44th Legislature.		
79	Judiciary Committee	3/15/74
Requests a legislative study of the mental commitment procedures in Montana; requests a report and draft legislation be submitted to the 44th Legislature.		

Resolution No.	Chief Sponsor	Date Adopted
Summary of Resolution		
81	Rosell	3/15/74
<p>Informs the Montana Congressional delegation and appropriate federal agencies of Montana's interest in long-range comprehensive planning for the development of energy and other resources.</p>		
82	McGowan	3/15/74
<p>Urges the United States House of Representatives to postpone any action on federal land-use planning legislation in 1974.</p>		
83	McGowan	3/16/74
<p>Expresses concern with the problem of devising an equitable taxation program for coal and other fossil fuels; requests a legislative study of the taxation of coal and other fossil fuel industries; and requests a report and draft legislation be presented to the 44th Legislature no later than January 15, 1975.</p>		
84	Committee on Legislative Administration	3/16/74
<p>Directs that the chambers, Senate offices, stenographic pool, work areas and their equipment and furnishings be reserved for use only by members of the legislature, its officers, committees and staff during the legislative interim.</p>		
85	Committee on Legislative Administration	3/16/74
<p>Directs certain legislative employees to complete the business of the second regular session of the 43rd Legislature and supersedes SJR 46.</p>		

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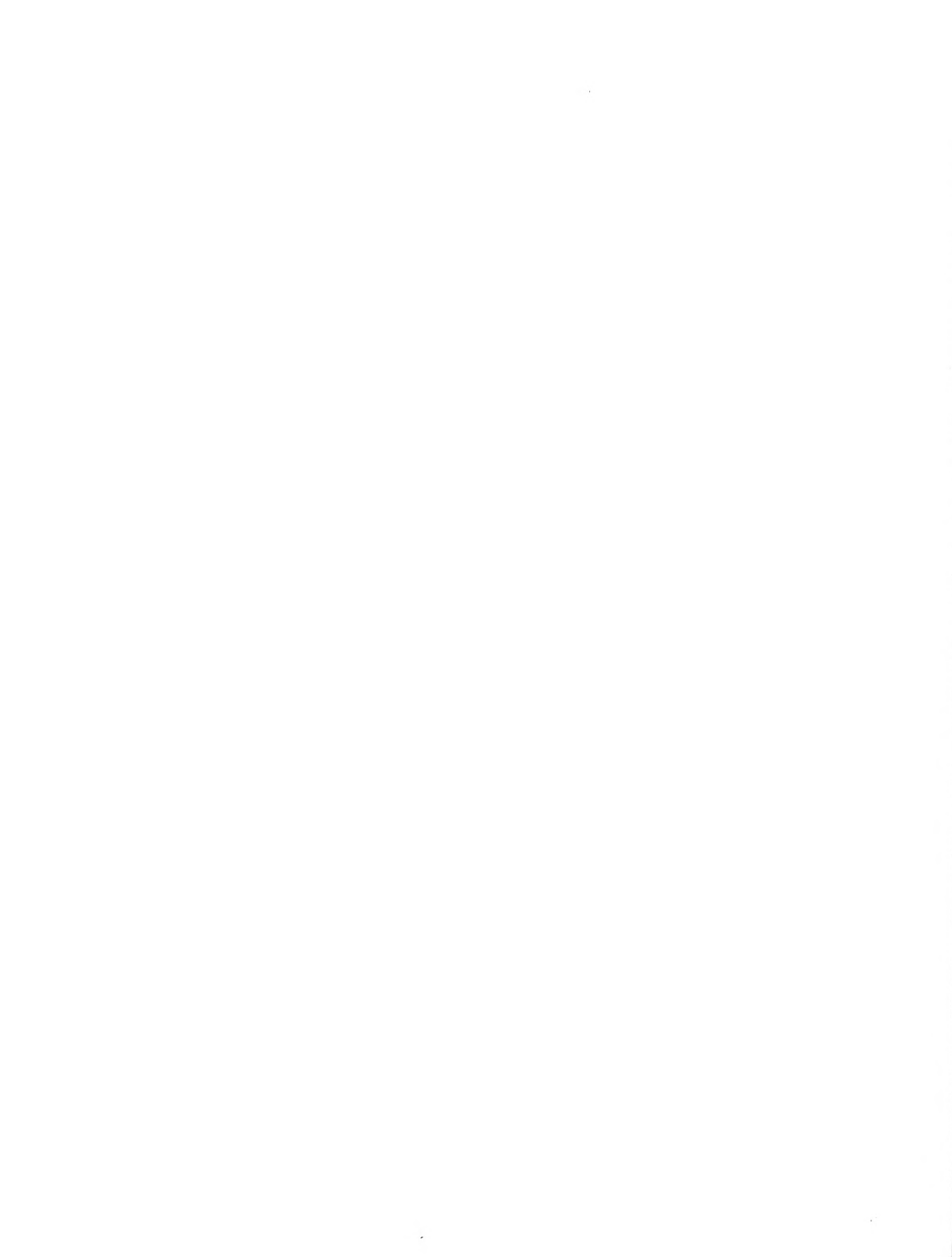
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